



Rep. William Davis

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1 AMENDMENT TO SENATE BILL 3443

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3443 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Personnel Code is amended by changing  
5 Section 9 as follows:

6 (20 ILCS 415/9) (from Ch. 127, par. 63b109)

7 Sec. 9. Director, powers and duties. The Director, as  
8 executive head of the Department, shall direct and supervise  
9 all its administrative and technical activities. In addition to  
10 the duties imposed upon him elsewhere in this law, it shall be  
11 his duty:

12 (1) To apply and carry out this law and the rules adopted  
13 thereunder.

14 (2) To attend meetings of the Commission.

15 (3) To establish and maintain a roster of all employees  
16 subject to this Act, in which there shall be set forth, as to

1 each employee, the class, title, pay, status, and other  
2 pertinent data.

3 (4) To appoint, subject to the provisions of this Act, such  
4 employees of the Department and such experts and special  
5 assistants as may be necessary to carry out effectively this  
6 law.

7 (5) Subject to such exemptions or modifications as may be  
8 necessary to assure the continuity of federal contributions in  
9 those agencies supported in whole or in part by federal funds,  
10 to make appointments to vacancies; to approve all written  
11 charges seeking discharge, demotion, or other disciplinary  
12 measures provided in this Act and to approve transfers of  
13 employees from one geographical area to another in the State,  
14 in offices, positions or places of employment covered by this  
15 Act, after consultation with the operating unit.

16 (6) To formulate and administer service wide policies and  
17 programs for the improvement of employee effectiveness,  
18 including training, safety, health, incentive recognition,  
19 counseling, welfare and employee relations. The Department  
20 shall formulate and administer recruitment plans and testing of  
21 potential employees for agencies having direct contact with  
22 significant numbers of non-English speaking or otherwise  
23 culturally distinct persons. The Department shall require each  
24 State agency to annually assess the need for employees with  
25 appropriate bilingual capabilities to serve the significant  
26 numbers of non-English speaking or culturally distinct

1 persons. The Department shall develop a uniform procedure for  
2 assessing an agency's need for employees with appropriate  
3 bilingual capabilities. Agencies shall establish occupational  
4 titles or designate positions as "bilingual option" for persons  
5 having sufficient linguistic ability or cultural knowledge to  
6 be able to render effective service to such persons. The  
7 Department shall ensure that any such option is exercised  
8 according to the agency's needs assessment and the requirements  
9 of this Code. The Department shall make annual reports of the  
10 needs assessment of each agency and the number of positions  
11 calling for non-English linguistic ability to whom vacancy  
12 postings were sent, and the number filled by each agency. Such  
13 policies and programs shall be subject to approval by the  
14 Governor. Such policies, program reports and needs assessment  
15 reports shall be filed with the General Assembly by January 1  
16 of each year and shall be available to the public.

17 The Department shall include within the report required  
18 above the number of persons receiving the bilingual pay  
19 supplement established by Section 8a.2 of this Code. The report  
20 shall provide the number of persons receiving the bilingual pay  
21 supplement for languages other than English and for signing.  
22 The report shall also indicate the number of persons, by the  
23 categories of Hispanic and non-Hispanic, who are receiving the  
24 bilingual pay supplement for language skills other than  
25 signing, in a language other than English.

26 (7) To conduct negotiations affecting pay, hours of work,

1 or other working conditions of employees subject to this Act.

2 (8) To make continuing studies to improve the efficiency of  
3 State services to the residents of Illinois, including but not  
4 limited to those who are non-English speaking or culturally  
5 distinct, and to report his findings and recommendations to the  
6 Commission and the Governor.

7 (9) To investigate from time to time the operation and  
8 effect of this law and the rules made thereunder and to report  
9 his findings and recommendations to the Commission and to the  
10 Governor.

11 (10) To make an annual report regarding the work of the  
12 Department, and such special reports as he may consider  
13 desirable, to the Commission and to the Governor, or as the  
14 Governor or Commission may request.

15 (11) (Blank). ~~To conduct research and planning regarding~~  
16 ~~the total manpower needs of all offices, including the~~  
17 ~~Lieutenant Governor, Secretary of State, State Treasurer,~~  
18 ~~State Comptroller, State Superintendent of Education, and~~  
19 ~~Attorney General, and of all departments, agencies, boards, and~~  
20 ~~commissions of the executive branch, except state-supported~~  
21 ~~colleges and universities, and for that purpose to prescribe~~  
22 ~~forms for the reporting of such personnel information as the~~  
23 ~~department may request both for positions covered by this Act~~  
24 ~~and for those exempt in whole or in part.~~

25 (12) To prepare and publish a semi-annual statement showing  
26 the number of employees exempt and non-exempt from merit

1 selection in each department. This report shall be in addition  
2 to other information on merit selection maintained for public  
3 information under existing law.

4 (13) To authorize in every department or agency subject to  
5 Jurisdiction C the use of flexible hours positions. A flexible  
6 hours position is one that does not require an ordinary work  
7 schedule as determined by the Department and includes but is  
8 not limited to: 1) a part time job of 20 hours or more per week,  
9 2) a job which is shared by 2 employees or a compressed work  
10 week consisting of an ordinary number of working hours  
11 performed on fewer than the number of days ordinarily required  
12 to perform that job. The Department may define flexible time to  
13 include other types of jobs that are defined above.

14 The Director and the director of each department or agency  
15 shall together establish goals for flexible hours positions to  
16 be available in every department or agency.

17 The Department shall give technical assistance to  
18 departments and agencies in achieving their goals, and shall  
19 report to the Governor and the General Assembly each year on  
20 the progress of each department and agency.

21 When a goal of 10% of the positions in a department or  
22 agency being available on a flexible hours basis has been  
23 reached, the Department shall evaluate the effectiveness and  
24 efficiency of the program and determine whether to expand the  
25 number of positions available for flexible hours to 20%.

26 When a goal of 20% of the positions in a department or

1 agency being available on a flexible hours basis has been  
2 reached, the Department shall evaluate the effectiveness and  
3 efficiency of the program and determine whether to expand the  
4 number of positions available for flexible hours.

5 Each department shall develop a plan for implementation of  
6 flexible work requirements designed to reduce the need for day  
7 care of employees' children outside the home. Each department  
8 shall submit a report of its plan to the Department of Central  
9 Management Services and the General Assembly. This report shall  
10 be submitted biennially by March 1, with the first report due  
11 March 1, 1993.

12 (14) To perform any other lawful acts which he may consider  
13 necessary or desirable to carry out the purposes and provisions  
14 of this law.

15 The requirement for reporting to the General Assembly shall  
16 be satisfied by filing copies of the report with the Speaker,  
17 the Minority Leader and the Clerk of the House of  
18 Representatives and the President, the Minority Leader and the  
19 Secretary of the Senate and the Legislative Research Unit, as  
20 required by Section 3.1 of "An Act to revise the law in  
21 relation to the General Assembly", approved February 25, 1874,  
22 as amended, and filing such additional copies with the State  
23 Government Report Distribution Center for the General Assembly  
24 as is required under paragraph (t) of Section 7 of the State  
25 Library Act.

26 (Source: P.A. 86-1004; 87-552; 87-1050.)

1 (20 ILCS 605/605-345 rep.)

2 Section 10. The Department of Commerce and Economic  
3 Opportunity Law of the Civil Administrative Code of Illinois is  
4 amended by repealing Section 605-345.

5 Section 12. The Illinois Commission on Volunteerism and  
6 Community Service Act is amended by changing Sections 1, 2, 4,  
7 5.1, 6.1, and 7 and by adding Sections 4.1 and 4.2 as follows:

8 (20 ILCS 710/1) (from Ch. 127, par. 3801)

9 Sec. 1. Creation. There is created in the Department of  
10 Public Health ~~Human Services~~ the Illinois Commission on  
11 Volunteerism and Community Service.

12 (Source: P.A. 91-798, eff. 7-9-00.)

13 (20 ILCS 710/2) (from Ch. 127, par. 3802)

14 Sec. 2. Purpose. The purpose of the Illinois Commission on  
15 Volunteerism and Community Service is to promote and support  
16 community service in public and private programs to meet the  
17 needs of Illinois residents ~~citizens~~; to stimulate new  
18 volunteerism and community service initiatives and  
19 partnerships; and to serve as a resource and advocate among all  
20 State agencies ~~within the Department of Human Services~~ for  
21 community service agencies, volunteers, and programs which  
22 utilize federal, State, and private volunteers.

1 (Source: P.A. 91-798, eff. 7-9-00.)

2 (20 ILCS 710/4) (from Ch. 127, par. 3804)

3 Sec. 4. Operation. The Governor shall appoint a Director of  
4 the Commission on Volunteerism and Community Service who shall  
5 serve at the Governor's pleasure and who shall receive such  
6 compensation as is determined by the Governor. The Director  
7 shall employ such staff as is necessary to carry out the  
8 purpose of this Act. The Commission, working in cooperation  
9 with State agencies, individuals, local groups, and  
10 organizations throughout the State, may undertake programs and  
11 activities which further the purposes of this Act, including,  
12 but not limited to, the following:

13 (a) providing technical assistance to programs which  
14 depend upon volunteers;

15 (b) initiating community service programs to meet  
16 previously unmet needs in Illinois;

17 (c) promoting and coordinating efforts to expand and  
18 improve the statewide community service network;

19 (d) recognizing outstanding community service  
20 accomplishments;

21 (e) disseminating information to support community  
22 service programs and to broaden community service  
23 involvement throughout the State;

24 (f) implementing federally funded grant programs in  
25 Illinois such as the National and Community Service Trust

1 Act, as amended by the Serve America Act;

2 (g) taking an active role in the State's emergency  
3 management plan to coordinate volunteers for disaster  
4 preparedness and response;

5 (h) promoting intergenerational initiatives and  
6 efforts to promote inclusion among diverse populations;  
7 and

8 (i) fostering an environment that promotes social  
9 innovation throughout the State.

10 ~~The Commission may receive and expend funds, grants and~~  
11 ~~services from any source for purposes reasonable and necessary~~  
12 ~~to carry out a coordinated plan of community service throughout~~  
13 ~~the State.~~

14 (Source: P.A. 91-798, eff. 7-9-00.)

15 (20 ILCS 710/4.1 new)

16 Sec. 4.1. Illinois Service Education Award Grant. The  
17 Commission may, subject to appropriation, award an Illinois  
18 Service Education Award Grant to recipients of a national  
19 service educational award established under 42 U.S.C. 12602 and  
20 awarded by the Corporation for National Community Service. The  
21 grant must be awarded only as a partial matching grant. An  
22 individual who successfully completes a required term of  
23 full-time national service in an approved national service  
24 position in this State may apply to receive an Illinois Service  
25 Education Award Grant. The Commission shall adopt rules to

1 govern the process for applying for the grant and for  
2 determining the amount of the grant and any other rules  
3 necessary to implement and administer this Section.

4 An Illinois Service Education Award Grant may be used for  
5 any of the following purposes:

6 (1) To repay student loans associated with attending an  
7 Illinois institution of higher learning, as defined in the  
8 Higher Education Student Assistance Act.

9 (2) To pay all or part of the cost of attendance at an  
10 Illinois institution of higher learning, as defined in the  
11 Higher Education Student Assistance Act.

12 (3) To pay expenses incurred in participating in an  
13 approved Illinois school-to-work program.

14 (4) Any other purpose for which the national service  
15 educational award may lawfully be used.

16 (20 ILCS 710/4.2 new)

17 Sec. 4.2. Receiving and expending funds. The Commission may  
18 receive and expend funds, grants, and services from any source  
19 for purposes reasonable and necessary to carry out a  
20 coordinated plan of community service throughout the State.

21 (20 ILCS 710/5.1)

22 Sec. 5.1. Commission. The Commission is established to  
23 encourage community service and volunteer participation as a  
24 means of community and State problem-solving; to promote and

1 support voluntary resident ~~citizen~~ involvement in government  
2 and private programs throughout the State; to develop a  
3 long-term, comprehensive vision and plan of action for national  
4 volunteerism and community service initiatives in Illinois;  
5 and to serve as the State's liaison to national and State  
6 organizations that support its mission.

7 The Commission shall consist of 15 to 25 bipartisan voting  
8 members and up to 15 bipartisan nonvoting members. At least 25%  
9 of the members must be from the City of Chicago.

10 The Governor shall appoint up to 25 voting members and up  
11 to 15 nonvoting members. Of those initial 25 voting members, 10  
12 shall serve for 3 years, 8 shall serve for 2 years, and 7 shall  
13 serve for one year. Voting members appointed by the Governor  
14 shall include at least ~~one representative of~~ the following: an  
15 expert in the education, training, and development needs of  
16 youth; an expert in philanthropy ~~the chairman of the City~~  
17 ~~Colleges of a municipality having a population of more than 2~~  
18 ~~million;~~ a representative of labor organizations; a  
19 representative of business; a representative of  
20 community-based ~~the human services department of a~~  
21 ~~municipality with a population of more than 2 million;~~  
22 ~~community based~~ organizations; the State Superintendent of  
23 Education; ~~the Superintendent of Police of a municipality~~  
24 ~~having a population of more than 2 million;~~ a youth between 16  
25 and 25 years old who is a participant or supervisor in a  
26 community service program; ~~the President of a County Board of a~~

1 ~~county having a population of more than 3 million;~~ an expert in  
2 older adult volunteerism; a representative of persons with  
3 disabilities ~~the public health commissioner of a municipality~~  
4 ~~having a population of more than 2 million;~~ a representative of  
5 local government; and a representative of a national service  
6 program. A representative of the federal Corporation for  
7 National Service shall be appointed as a nonvoting member.

8 Appointing authorities shall ensure, to the maximum extent  
9 practicable, that the Commission is diverse with respect to  
10 race, ethnicity, age, gender, geography, and disability. Not  
11 more than 50% of the Commission appointed by the Governor may  
12 be from the same political party.

13 Subsequent voting members of the Commission shall serve  
14 3-year terms. Commissioners must be allowed to serve until new  
15 commissioners are appointed in order to maintain the federally  
16 required number of commissioners.

17 Each nonvoting member shall serve at the pleasure of the  
18 Governor.

19 Members of the Commission may not serve more than 3  
20 consecutive terms. Vacancies shall be filled in the same manner  
21 as the original appointments and any member so appointed shall  
22 serve during the remainder of the term for which the vacancy  
23 occurred. The members shall not receive any compensation but  
24 shall be reimbursed for necessary expenses incurred in the  
25 performance of their duties.

26 (Source: P.A. 91-798, eff. 7-9-00.)

1 (20 ILCS 710/6.1)

2 Sec. 6.1. Functions of Commission. The Commission shall  
3 meet at least quarterly and shall advise and consult with the  
4 Department of Public Health and the Governor's Office ~~Human~~  
5 ~~Services and the Director~~ on all matters relating to community  
6 service in Illinois. In addition, the Commission shall have the  
7 following duties:

8 (a) prepare a 3-year State ~~national and community~~ service  
9 plan, developed through an open, public process and updated  
10 annually;

11 (b) prepare the financial assistance applications of the  
12 State under the National and Community Service Trust Fund Act  
13 of 1993, as amended by the Serve America Act;

14 (c) assist in the preparation of the application by the  
15 State Board of Education for assistance under that Act;

16 (d) prepare the State's application under that Act for the  
17 approval of national service positions;

18 (e) assist in the provision of health care and child care  
19 benefits under that Act;

20 (f) develop a State recruitment, placement, and  
21 information dissemination system for participants in programs  
22 that receive assistance under the national service laws;

23 (g) administer the State's grant program including  
24 selection, oversight, and evaluation of grant recipients;

25 (h) make technical assistance available to enable

1 applicants to plan and implement service programs and to apply  
2 for assistance under the national service laws;

3 (i) develop projects, training methods, curriculum  
4 materials, and other activities related to service;

5 (j) coordinate its functions with any division of the  
6 federal Corporation for National and Community Service  
7 outlined in the National and Community Service Trust Fund Act  
8 of 1993, as amended by the Serve America Act.

9 (k) publicize Commission services and promote community  
10 involvement in the activities of the Commission;

11 (l) promote increased visibility and support for  
12 volunteers of all ages, especially youth and senior citizens,  
13 and community service in meeting the needs of Illinois  
14 residents ~~citizens~~; and

15 (m) represent the Department of Public Health and the  
16 Governor's Office ~~Human Services~~ on such occasions and in such  
17 manner as the Department may provide.

18 (Source: P.A. 91-798, eff. 7-9-00.)

19 (20 ILCS 710/7)

20 Sec. 7. Program transfer. On the effective date of this  
21 amendatory Act of the 98th General Assembly ~~this amendatory Act~~  
22 ~~of the 91st General Assembly~~, the authority, powers, and duties  
23 in this Act of the Department of Human Services ~~Commerce and~~  
24 ~~Community Affairs~~ (now Department of Commerce and Economic  
25 ~~Opportunity~~) are transferred to the Department of Public Health

1 ~~Human Services.~~

2 (Source: P.A. 94-793, eff. 5-19-06.)

3 Section 15. The Energy Conservation and Coal Development  
4 Act is amended by changing Section 3 as follows:

5 (20 ILCS 1105/3) (from Ch. 96 1/2, par. 7403)

6 Sec. 3. Powers and Duties.

7 (a) In addition to its other powers, the Department has the  
8 following powers:

9 (1) To administer for the State any energy programs and  
10 activities under federal law, regulations or guidelines,  
11 and to coordinate such programs and activities with other  
12 State agencies, units of local government, and educational  
13 institutions.

14 (2) To represent the State in energy matters involving  
15 the federal government, other states, units of local  
16 government, and regional agencies.

17 (3) To prepare energy contingency plans for  
18 consideration by the Governor and the General Assembly.  
19 Such plans shall include procedures for determining when a  
20 foreseeable danger exists of energy shortages, including  
21 shortages of petroleum, coal, nuclear power, natural gas,  
22 and other forms of energy, and shall specify the actions to  
23 be taken to minimize hardship and maintain the general  
24 welfare during such energy shortages.

1           (4) To cooperate with State colleges and universities  
2           and their governing boards in energy programs and  
3           activities.

4           (5) (Blank).

5           (6) To accept, receive, expend, and administer,  
6           including by contracts and grants to other State agencies,  
7           any energy-related gifts, grants, cooperative agreement  
8           funds, and other funds made available to the Department by  
9           the federal government and other public and private  
10          sources.

11          (7) To investigate practical problems, seek and  
12          utilize financial assistance, implement studies and  
13          conduct research relating to the production, distribution  
14          and use of alcohol fuels.

15          (8) To serve as a clearinghouse for information on  
16          alcohol production technology; provide assistance,  
17          information and data relating to the production and use of  
18          alcohol; develop informational packets and brochures, and  
19          hold public seminars to encourage the development and  
20          utilization of the best available technology.

21          (9) To coordinate with other State agencies in order to  
22          promote the maximum flow of information and to avoid  
23          unnecessary overlapping of alcohol fuel programs. In order  
24          to effectuate this goal, the Director of the Department or  
25          his representative shall consult with the Directors, or  
26          their representatives, of the Departments of Agriculture,

1 Central Management Services, Transportation, and Revenue,  
2 the Office of the State Fire Marshal, and the Environmental  
3 Protection Agency.

4 (10) To operate, within the Department, an Office of  
5 Coal Development and Marketing for the promotion and  
6 marketing of Illinois coal both domestically and  
7 internationally. The Department may use monies  
8 appropriated for this purpose for necessary administrative  
9 expenses.

10 The Office of Coal Development and Marketing shall  
11 develop and implement an initiative to assist the coal  
12 industry in Illinois to increase its share of the  
13 international coal market.

14 (11) To assist the Department of Central Management  
15 Services in establishing and maintaining a system to  
16 analyze and report energy consumption of facilities leased  
17 by the Department of Central Management Services.

18 (12) To consult with the Departments of Natural  
19 Resources and Transportation and the Illinois  
20 Environmental Protection Agency for the purpose of  
21 developing methods and standards that encourage the  
22 utilization of coal combustion by-products as value added  
23 products in productive and benign applications.

24 (13) To provide technical assistance and information  
25 to sellers and distributors of storage hot water heaters  
26 doing business in Illinois, pursuant to Section 1 of the

1 Hot Water Heater Efficiency Act.

2 (b) (Blank).

3 (c) (Blank).

4 (d) The Department shall develop a package of educational  
5 materials containing information regarding the necessity of  
6 waste reduction and recycling to reduce dependence on landfills  
7 and to maintain environmental quality. The Department shall  
8 make this information available to the public on its website  
9 and for schools to access for their development of materials.  
10 Those materials developed shall be suitable for instructional  
11 use in grades 3, 4 and 5. ~~The Department shall distribute such~~  
12 ~~instructional material to all public elementary and unit school~~  
13 ~~districts no later than November 1, of each year.~~

14 (e) (Blank).

15 (f) (Blank).

16 (g) (Blank).

17 (h) (Blank).

18 (i) (Blank).

19 (Source: P.A. 98-44, eff. 6-28-13.)

20 (20 ILCS 2310/2310-373 rep.)

21 (20 ILCS 2310/2310-396 rep.)

22 Section 20. The Department of Public Health Powers and  
23 Duties Law of the Civil Administrative Code of Illinois is  
24 amended by repealing Sections 2310-373 and 2310-396.

1 Section 25. The Governor's Office of Management and Budget  
2 Act is amended by changing Section 7.3 as follows:

3 (20 ILCS 3005/7.3)

4 Sec. 7.3. Annual economic and fiscal policy report. No  
5 later than the 3rd business day in ~~By~~ January ~~±~~ of each year,  
6 the Governor's Office of Management and Budget shall submit an  
7 economic and fiscal policy report to the General Assembly. The  
8 report must outline the long-term economic and fiscal policy  
9 objectives of the State, the economic and fiscal policy  
10 intentions for the upcoming fiscal year, and the economic and  
11 fiscal policy intentions for the following 2 fiscal years. The  
12 report must highlight the total level of revenue, expenditure,  
13 deficit or surplus, and debt with respect to each of the  
14 reporting categories. The report must be posted on the Office's  
15 Internet website and allow members of the public to post  
16 comments concerning the report.

17 (Source: P.A. 96-1354, eff. 7-28-10.)

18 Section 30. The Capital Spending Accountability Law is  
19 amended by changing Section 805 as follows:

20 (20 ILCS 3020/805)

21 Sec. 805. Reports on capital spending. On the first day of  
22 each quarterly period in each fiscal year, the Governor's  
23 Office of Management and Budget shall provide to the

1 Comptroller, the Treasurer, the President and the Minority  
2 Leader of the Senate, and the Speaker and the Minority Leader  
3 of the House of Representatives a report on the status of all  
4 capital projects in the State. The report may ~~must~~ be provided  
5 in both written and electronic format. The report must include  
6 all of the following:

7 (1) A brief description or stated purpose of each  
8 capital project where applicable (as referred to in this  
9 Section, "project").

10 (2) The amount and source of funds (whether from bond  
11 funds or other revenues) appropriated for each project,  
12 organized into categories including roads, mass transit,  
13 schools, environment, civic centers and other categories  
14 as applicable (as referred to in this Section, "category or  
15 categories"), with subtotals for each category.

16 (3) The date the appropriation bill relating to each  
17 project was signed by the Governor, organized into  
18 categories.

19 (4) The date the written release of the Governor for  
20 each project was submitted to the Comptroller or is  
21 projected to be submitted and, if a release for any project  
22 has not been submitted within 6 months after its  
23 appropriation became law, an explanation why the project  
24 has not yet been released, all organized into categories.

25 (5) The amount of expenditures to date by the State  
26 relating to each project and estimated amount of total

1 State expenditures and proposed schedule of future State  
2 expenditures relating to each project, all organized into  
3 categories.

4 (6) A timeline for completion of each project,  
5 including the dates, if applicable, of execution by the  
6 State of any grant agreement, any required engineering or  
7 design work or environmental approvals, and the estimated  
8 or actual dates of the start and completion of  
9 construction, all organized into categories. Any  
10 substantial variances on any project from this reported  
11 timeline must be explained in the next quarterly report.

12 (7) A summary report of the status of all projects,  
13 including the amount of undisbursed funds intended to be  
14 held or used in the next quarter.

15 (Source: P.A. 96-34, eff. 7-13-09.)

16 (30 ILCS 105/5.250 rep.)

17 Section 35. The State Finance Act is amended by repealing  
18 Section 5.250.

19 Section 40. The Property Tax Code is amended by changing  
20 Sections 8-35, 17-20, and 17-40 as follows:

21 (35 ILCS 200/8-35)

22 Sec. 8-35. Notification requirements; procedure on  
23 protest.

1           (a) Assessments made by the Department. Upon completion of  
2 its original assessments, the Department shall publish a  
3 complete list of the assessments on its official website. ~~in~~  
4 ~~the State "official newspaper."~~ Any person feeling aggrieved by  
5 any such assessment may, within 10 days of the date of  
6 publication of the list, apply to the Department for a review  
7 and correction of that assessment. Upon review of the  
8 assessment, the Department shall make any correction as it  
9 considers just.

10           If review of an assessment has been made and notice has  
11 been given of the Department's decision, any party to the  
12 proceeding who feels aggrieved by the decision, may file an  
13 application for hearing. The application shall be in writing  
14 and shall be filed with the Department within 20 days after  
15 notice of the decision has been given by certified mail.  
16 Petitions for hearing shall state concisely the mistakes  
17 alleged to have been made or the new evidence to be presented.

18           No action for the judicial review of any assessment  
19 decision of the Department shall be allowed unless the party  
20 commencing such action has filed an application for a hearing  
21 and the Department has acted upon the application.

22           The extension of taxes on an assessment shall not be  
23 delayed by any proceeding under this Section. In cases where  
24 the assessment is revised, the taxes extended upon the  
25 assessment, or that part of the taxes as may be appropriate,  
26 shall be abated or, if already paid, refunded.

1 (b) Exemption decisions made by the Department. Notice of  
2 each exemption decision made by the Department under Section  
3 15-25, 16-70, or 16-130 shall be given by certified mail to the  
4 applicant for exemption.

5 If an exemption decision has been made by the Department  
6 and notice has been given of the Department's decision, any  
7 party to the proceeding who feels aggrieved by the decision may  
8 file an application for hearing. The application shall be in  
9 writing and shall be filed with the Department within 60 days  
10 after notice of the decision has been given by certified mail.  
11 Petitions for hearing shall state concisely the mistakes  
12 alleged to have been made or the new evidence to be presented.

13 If a petition for hearing is filed, the Department shall  
14 reconsider the exemption decision and shall grant any party to  
15 the proceeding a hearing. As soon as practical after the  
16 reconsideration and hearing, the Department shall issue a  
17 notice of decision by mailing the notice by certified mail. The  
18 notice shall set forth the Department's findings of fact and  
19 the basis of the decision.

20 Within 30 days after the mailing of a notice of decision,  
21 any party to the proceeding may file with the Director a  
22 written request for rehearing in such form as the Department  
23 may by rule prescribe, setting forth the grounds on which  
24 rehearing is requested. If rehearing or Departmental review is  
25 granted, as soon as practical after the rehearing or  
26 Departmental review has been held, the Department shall issue a

1 revised decision to the party or the party's legal  
2 representative as a result of the rehearing. The action of the  
3 Department on a petition for hearing shall become final the  
4 later of (i) 30 days after issuance of a notice of decision, if  
5 no request for rehearing is made, or (ii) if a timely request  
6 for rehearing is made, upon the issuance of the denial of the  
7 request or the issuance of a notice of final decision.

8 No action for the judicial review of any exemption decision  
9 of the Department shall be allowed unless the party commencing  
10 the action has filed an application for a hearing and the  
11 Department has acted upon the application.

12 The extension of taxes on an assessment shall not be  
13 delayed by any proceeding under this Section. In cases when the  
14 exemption is granted, in whole or in part, the taxes extended  
15 upon the assessment, or that part of the taxes as may be  
16 appropriate, shall be abated or, if already paid, refunded.

17 (Source: P.A. 92-658, eff. 7-16-02.)

18 (35 ILCS 200/17-20)

19 Sec. 17-20. Hearing on tentative equalization factor. The  
20 Department shall, after publishing its tentative equalization  
21 factor and giving notice of hearing to the public on its  
22 official website ~~in a newspaper of general circulation in the~~  
23 ~~county~~, hold a hearing on its estimate not less than 10 days  
24 nor more than 30 days from the date of the publication. The  
25 notice shall state the date and time of the hearing, which

1 shall be held in either Chicago or Springfield, the basis for  
2 the estimate of the Department, and further information as the  
3 Department may prescribe. The Department shall, after giving a  
4 hearing to all interested parties and opportunity for  
5 submitting testimony and evidence in support of or adverse to  
6 the estimate as the Department considers requisite, either  
7 confirm or revise the estimate so as to correctly represent the  
8 considered judgment of the Department respecting the estimated  
9 percentage to be added to or deducted from the aggregate  
10 assessment of all locally assessed property in the county  
11 except property assessed under Sections 10-110 through 10-140  
12 or 10-170 through 10-200. Within 30 days after the conclusion  
13 of the hearing the Department shall mail to the County Clerk,  
14 by certified mail, its determination with respect to such  
15 estimated percentage to be added to or deducted from the  
16 aggregate assessment.

17 (Source: P.A. 91-555, eff. 1-1-00.)

18 (35 ILCS 200/17-40)

19 Sec. 17-40. Publication of final equalization factor. The  
20 Department shall publish on its official website ~~in each county~~  
21 the percentage and equalization factor certified to each county  
22 clerk under Section 17-30. If the percentage differs from the  
23 percentage derived from the initial estimate certified under  
24 Section 17-15, a statement as to the basis for the final  
25 percentage shall also be published. The Department shall

1 provide the statement to any member of the public upon request.  
2 (Source: P.A. 79-703; 88-455.)

3 Section 45. The Adult Education Reporting Act is amended by  
4 changing Section 1 as follows:

5 (105 ILCS 410/1) (from Ch. 122, par. 1851)

6 Sec. 1. As used in this Act, "agency" means: the  
7 Departments of Corrections, ~~Public Aid~~, Commerce and Economic  
8 Opportunity, Human Services, and Public Health; the Secretary  
9 of State; the Illinois Community College Board; and the  
10 Administrative Office of the Illinois Courts. On and after July  
11 1, 2001, "agency" includes the State Board of Education and  
12 does not include the Illinois Community College Board.  
13 (Source: P.A. 94-793, eff. 5-19-06.)

14 Section 50. The Public Community College Act is amended by  
15 changing Section 2-10 as follows:

16 (110 ILCS 805/2-10) (from Ch. 122, par. 102-10)

17 Sec. 2-10. The State Board shall make a thorough,  
18 comprehensive and continuous study of the status of community  
19 college education, its problems, needs for improvement, and  
20 projected developments and shall make a detailed report thereof  
21 to the General Assembly not later than March 1 of each  
22 odd-numbered year and shall submit recommendations for such

1 legislation as it deems necessary.

2 The requirement for reporting to the General Assembly shall  
3 be satisfied by electronically filing copies of the report with  
4 the Speaker, the Minority Leader and the Clerk of the House of  
5 Representatives and the President, the Minority Leader and the  
6 Secretary of the Senate and the Legislative Research Unit, as  
7 required by Section 3.1 of "An Act to revise the law in  
8 relation to the General Assembly", approved February 25, 1874,  
9 as amended, and electronically filing such additional copies  
10 with the State Government Report Distribution Center for the  
11 General Assembly as is required under paragraph (t) of Section  
12 7 of the State Library Act. A copy of the report shall also be  
13 posted on the State Board's website.

14 (Source: P.A. 84-1438.)

15 (215 ILCS 5/178 rep.)

16 Section 55. The Illinois Insurance Code is amended by  
17 repealing Section 178.

18 (215 ILCS 5/Art. XVI rep.)

19 (215 ILCS 5/Art. XIXB rep.)

20 Section 60. The Illinois Insurance Code is amended by  
21 repealing Articles XVI and XIXB.

22 (225 ILCS 120/24 rep.)

23 Section 65. The Wholesale Drug Distribution Licensing Act

1 is amended by repealing Section 24.

2 Section 70. The Solid Waste Site Operator Certification Law  
3 is amended by changing Section 1011 as follows:

4 (225 ILCS 230/1011) (from Ch. 111, par. 7861)  
5 Sec. 1011. Fees.

6 (a) Fees for the issuance or renewal of a Solid Waste Site  
7 Operator Certificate shall be as follows:

8 (1) (A) \$400 for issuance or renewal for Class A Solid  
9 Waste Site Operators; (B) \$200 for issuance or renewal for  
10 Class B Solid Waste Site Operators; and (C) \$100 for  
11 issuance or renewal for special waste endorsements.

12 (2) If the fee for renewal is not paid within the grace  
13 period the above fees for renewal shall each be increased  
14 by \$50.

15 (b) Before the effective date of this amendatory Act of the  
16 98th General Assembly, all ~~All~~ fees collected by the Agency  
17 under this Section shall be deposited into the Hazardous Waste  
18 Occupational Licensing Fund. The Agency is authorized to use  
19 monies in the Hazardous Waste Occupational Licensing Fund to  
20 perform its functions, powers, and duties under this Section.

21 On and after the effective date of this amendatory Act of  
22 the 98th General Assembly, all fees collected by the Agency  
23 under this Section shall be deposited into the Environmental  
24 Protection Permit and Inspection Fund to be used in accordance

1 with the provisions of Section 22.8 of the Environmental  
2 Protection Act.

3 (Source: P.A. 86-1363.)

4 Section 75. The Illinois Athlete Agents Act is amended by  
5 changing Section 180 as follows:

6 (225 ILCS 401/180)

7 Sec. 180. Civil penalties.

8 (a) In addition to any other penalty provided by law, any  
9 person who violates this Act shall forfeit and pay a civil  
10 penalty to the Department in an amount not to exceed \$10,000  
11 for each violation as determined by the Department. The civil  
12 penalty shall be assessed by the Department in accordance with  
13 the provisions of this Act.

14 (b) The Department has the authority and power to  
15 investigate any and all unlicensed activity.

16 (c) The civil penalty shall be paid within 60 days after  
17 the effective date of the order imposing the civil penalty. The  
18 order shall constitute a judgment and may be filed and  
19 execution had thereon in the same manner as any judgment from  
20 any court of record.

21 (d) All moneys collected under this Section shall be  
22 deposited into the General Professions Dedicated Fund.

23 (Source: P.A. 96-1030, eff. 1-1-11.)

1           Section 80. The Illinois Horse Racing Act of 1975 is  
2 amended by changing Section 30 as follows:

3           (230 ILCS 5/30) (from Ch. 8, par. 37-30)

4           Sec. 30. (a) The General Assembly declares that it is the  
5 policy of this State to encourage the breeding of thoroughbred  
6 horses in this State and the ownership of such horses by  
7 residents of this State in order to provide for: sufficient  
8 numbers of high quality thoroughbred horses to participate in  
9 thoroughbred racing meetings in this State, and to establish  
10 and preserve the agricultural and commercial benefits of such  
11 breeding and racing industries to the State of Illinois. It is  
12 the intent of the General Assembly to further this policy by  
13 the provisions of this Act.

14           (b) Each organization licensee conducting a thoroughbred  
15 racing meeting pursuant to this Act shall provide at least two  
16 races each day limited to Illinois conceived and foaled horses  
17 or Illinois foaled horses or both. A minimum of 6 races shall  
18 be conducted each week limited to Illinois conceived and foaled  
19 or Illinois foaled horses or both. No horses shall be permitted  
20 to start in such races unless duly registered under the rules  
21 of the Department of Agriculture.

22           (c) Conditions of races under subsection (b) shall be  
23 commensurate with past performance, quality, and class of  
24 Illinois conceived and foaled and Illinois foaled horses  
25 available. If, however, sufficient competition cannot be had

1 among horses of that class on any day, the races may, with  
2 consent of the Board, be eliminated for that day and substitute  
3 races provided.

4 (d) There is hereby created a special fund of the State  
5 Treasury to be known as the Illinois Thoroughbred Breeders  
6 Fund.

7 Except as provided in subsection (g) of Section 27 of this  
8 Act, 8.5% of all the monies received by the State as privilege  
9 taxes on Thoroughbred racing meetings shall be paid into the  
10 Illinois Thoroughbred Breeders Fund.

11 (e) The Illinois Thoroughbred Breeders Fund shall be  
12 administered by the Department of Agriculture with the advice  
13 and assistance of the Advisory Board created in subsection (f)  
14 of this Section.

15 (f) The Illinois Thoroughbred Breeders Fund Advisory Board  
16 shall consist of the Director of the Department of Agriculture,  
17 who shall serve as Chairman; a member of the Illinois Racing  
18 Board, designated by it; 2 representatives of the organization  
19 licensees conducting thoroughbred racing meetings, recommended  
20 by them; 2 representatives of the Illinois Thoroughbred  
21 Breeders and Owners Foundation, recommended by it; and 2  
22 representatives of the Horsemen's Benevolent Protective  
23 Association or any successor organization established in  
24 Illinois comprised of the largest number of owners and  
25 trainers, recommended by it, with one representative of the  
26 Horsemen's Benevolent and Protective Association to come from

1 its Illinois Division, and one from its Chicago Division.  
2 Advisory Board members shall serve for 2 years commencing  
3 January 1 of each odd numbered year. If representatives of the  
4 organization licensees conducting thoroughbred racing  
5 meetings, the Illinois Thoroughbred Breeders and Owners  
6 Foundation, and the Horsemen's Benevolent Protection  
7 Association have not been recommended by January 1, of each odd  
8 numbered year, the Director of the Department of Agriculture  
9 shall make an appointment for the organization failing to so  
10 recommend a member of the Advisory Board. Advisory Board  
11 members shall receive no compensation for their services as  
12 members but shall be reimbursed for all actual and necessary  
13 expenses and disbursements incurred in the execution of their  
14 official duties.

15 (g) No monies shall be expended from the Illinois  
16 Thoroughbred Breeders Fund except as appropriated by the  
17 General Assembly. Monies appropriated from the Illinois  
18 Thoroughbred Breeders Fund shall be expended by the Department  
19 of Agriculture, with the advice and assistance of the Illinois  
20 Thoroughbred Breeders Fund Advisory Board, for the following  
21 purposes only:

22 (1) To provide purse supplements to owners of horses  
23 participating in races limited to Illinois conceived and  
24 foaled and Illinois foaled horses. Any such purse  
25 supplements shall not be included in and shall be paid in  
26 addition to any purses, stakes, or breeders' awards offered

1 by each organization licensee as determined by agreement  
2 between such organization licensee and an organization  
3 representing the horsemen. No monies from the Illinois  
4 Thoroughbred Breeders Fund shall be used to provide purse  
5 supplements for claiming races in which the minimum  
6 claiming price is less than \$7,500.

7 (2) To provide stakes and awards to be paid to the  
8 owners of the winning horses in certain races limited to  
9 Illinois conceived and foaled and Illinois foaled horses  
10 designated as stakes races.

11 (2.5) To provide an award to the owner or owners of an  
12 Illinois conceived and foaled or Illinois foaled horse that  
13 wins a maiden special weight, an allowance, overnight  
14 handicap race, or claiming race with claiming price of  
15 \$10,000 or more providing the race is not restricted to  
16 Illinois conceived and foaled or Illinois foaled horses.  
17 Awards shall also be provided to the owner or owners of  
18 Illinois conceived and foaled and Illinois foaled horses  
19 that place second or third in those races. To the extent  
20 that additional moneys are required to pay the minimum  
21 additional awards of 40% of the purse the horse earns for  
22 placing first, second or third in those races for Illinois  
23 foaled horses and of 60% of the purse the horse earns for  
24 placing first, second or third in those races for Illinois  
25 conceived and foaled horses, those moneys shall be provided  
26 from the purse account at the track where earned.

1           (3) To provide stallion awards to the owner or owners  
2 of any stallion that is duly registered with the Illinois  
3 Thoroughbred Breeders Fund Program prior to the effective  
4 date of this amendatory Act of 1995 whose duly registered  
5 Illinois conceived and foaled offspring wins a race  
6 conducted at an Illinois thoroughbred racing meeting other  
7 than a claiming race. Such award shall not be paid to the  
8 owner or owners of an Illinois stallion that served outside  
9 this State at any time during the calendar year in which  
10 such race was conducted.

11           (4) To provide \$75,000 annually for purses to be  
12 distributed to county fairs that provide for the running of  
13 races during each county fair exclusively for the  
14 thoroughbreds conceived and foaled in Illinois. The  
15 conditions of the races shall be developed by the county  
16 fair association and reviewed by the Department with the  
17 advice and assistance of the Illinois Thoroughbred  
18 Breeders Fund Advisory Board. There shall be no wagering of  
19 any kind on the running of Illinois conceived and foaled  
20 races at county fairs.

21           (4.1) To provide purse money for an Illinois stallion  
22 stakes program.

23           (5) No less than 80% of all monies appropriated from  
24 the Illinois Thoroughbred Breeders Fund shall be expended  
25 for the purposes in (1), (2), (2.5), (3), (4), (4.1), and  
26 (5) as shown above.

1           (6) To provide for educational programs regarding the  
2 thoroughbred breeding industry.

3           (7) To provide for research programs concerning the  
4 health, development and care of the thoroughbred horse.

5           (8) To provide for a scholarship and training program  
6 for students of equine veterinary medicine.

7           (9) To provide for dissemination of public information  
8 designed to promote the breeding of thoroughbred horses in  
9 Illinois.

10          (10) To provide for all expenses incurred in the  
11 administration of the Illinois Thoroughbred Breeders Fund.

12          (h) Whenever the Governor finds that the amount in the  
13 Illinois Thoroughbred Breeders Fund is more than the total of  
14 the outstanding appropriations from such fund, the Governor  
15 shall notify the State Comptroller and the State Treasurer of  
16 such fact. The Comptroller and the State Treasurer, upon  
17 receipt of such notification, shall transfer such excess amount  
18 from the Illinois Thoroughbred Breeders Fund to the General  
19 Revenue Fund.

20          (i) A sum equal to 12 1/2% of the first prize money of  
21 every purse won by an Illinois foaled or an Illinois conceived  
22 and foaled horse in races not limited to Illinois foaled horses  
23 or Illinois conceived and foaled horses, or both, shall be paid  
24 by the organization licensee conducting the horse race meeting.  
25 Such sum shall be paid from the organization licensee's share  
26 of the money wagered as follows: 11 1/2% to the breeder of the

1 winning horse and 1% to the organization representing  
2 thoroughbred breeders and owners whose representative serves  
3 on the Illinois Thoroughbred Breeders Fund Advisory Board for  
4 verifying the amounts of breeders' awards earned, assuring  
5 their distribution in accordance with this Act, and servicing  
6 and promoting the Illinois thoroughbred horse racing industry.  
7 The organization representing thoroughbred breeders and owners  
8 shall cause all expenditures of monies received under this  
9 subsection (i) to be audited at least annually by a registered  
10 public accountant. The organization shall file copies of each  
11 annual audit with the Racing Board, the Clerk of the House of  
12 Representatives and the Secretary of the Senate, and shall make  
13 copies of each annual audit available to the public upon  
14 request and upon payment of the reasonable cost of photocopying  
15 the requested number of copies. Such payments shall not reduce  
16 any award to the owner of the horse or reduce the taxes payable  
17 under this Act. Upon completion of its racing meet, each  
18 organization licensee shall deliver to the organization  
19 representing thoroughbred breeders and owners whose  
20 representative serves on the Illinois Thoroughbred Breeders  
21 Fund Advisory Board a listing of all the Illinois foaled and  
22 the Illinois conceived and foaled horses which won breeders'  
23 awards and the amount of such breeders' awards under this  
24 subsection to verify accuracy of payments and assure proper  
25 distribution of breeders' awards in accordance with the  
26 provisions of this Act. Such payments shall be delivered by the

1 organization licensee within 30 days of the end of each race  
2 meeting.

3 (j) A sum equal to 12 1/2% of the first prize money won in  
4 each race limited to Illinois foaled horses or Illinois  
5 conceived and foaled horses, or both, shall be paid in the  
6 following manner by the organization licensee conducting the  
7 horse race meeting, from the organization licensee's share of  
8 the money wagered: 11 1/2% to the breeders of the horses in  
9 each such race which are the official first, second, third and  
10 fourth finishers and 1% to the organization representing  
11 thoroughbred breeders and owners whose representative serves  
12 on the Illinois Thoroughbred Breeders Fund Advisory Board for  
13 verifying the amounts of breeders' awards earned, assuring  
14 their proper distribution in accordance with this Act, and  
15 servicing and promoting the Illinois thoroughbred horse racing  
16 industry. The organization representing thoroughbred breeders  
17 and owners shall cause all expenditures of monies received  
18 under this subsection (j) to be audited at least annually by a  
19 registered public accountant. The organization shall file  
20 copies of each annual audit with the Racing Board, the Clerk of  
21 the House of Representatives and the Secretary of the Senate,  
22 and shall make copies of each annual audit available to the  
23 public upon request and upon payment of the reasonable cost of  
24 photocopying the requested number of copies.

25 The 11 1/2% paid to the breeders in accordance with this  
26 subsection shall be distributed as follows:

1           (1) 60% of such sum shall be paid to the breeder of the  
2 horse which finishes in the official first position;

3           (2) 20% of such sum shall be paid to the breeder of the  
4 horse which finishes in the official second position;

5           (3) 15% of such sum shall be paid to the breeder of the  
6 horse which finishes in the official third position; and

7           (4) 5% of such sum shall be paid to the breeder of the  
8 horse which finishes in the official fourth position.

9           Such payments shall not reduce any award to the owners of a  
10 horse or reduce the taxes payable under this Act. Upon  
11 completion of its racing meet, each organization licensee shall  
12 deliver to the organization representing thoroughbred breeders  
13 and owners whose representative serves on the Illinois  
14 Thoroughbred Breeders Fund Advisory Board a listing of all the  
15 Illinois foaled and the Illinois conceived and foaled horses  
16 which won breeders' awards and the amount of such breeders'  
17 awards in accordance with the provisions of this Act. Such  
18 payments shall be delivered by the organization licensee within  
19 30 days of the end of each race meeting.

20           (k) The term "breeder", as used herein, means the owner of  
21 the mare at the time the foal is dropped. An "Illinois foaled  
22 horse" is a foal dropped by a mare which enters this State on  
23 or before December 1, in the year in which the horse is bred,  
24 provided the mare remains continuously in this State until its  
25 foal is born. An "Illinois foaled horse" also means a foal born  
26 of a mare in the same year as the mare enters this State on or

1 before March 1, and remains in this State at least 30 days  
2 after foaling, is bred back during the season of the foaling to  
3 an Illinois Registered Stallion (unless a veterinarian  
4 certifies that the mare should not be bred for health reasons),  
5 and is not bred to a stallion standing in any other state  
6 during the season of foaling. An "Illinois foaled horse" also  
7 means a foal born in Illinois of a mare purchased at public  
8 auction subsequent to the mare entering this State prior to  
9 February 1 of the foaling year providing the mare is owned  
10 solely by one or more Illinois residents or an Illinois entity  
11 that is entirely owned by one or more Illinois residents.

12 (1) The Department of Agriculture shall, by rule, with the  
13 advice and assistance of the Illinois Thoroughbred Breeders  
14 Fund Advisory Board:

15 (1) Qualify stallions for Illinois breeding; such  
16 stallions to stand for service within the State of Illinois  
17 at the time of a foal's conception. Such stallion must not  
18 stand for service at any place outside the State of  
19 Illinois during the calendar year in which the foal is  
20 conceived. The Department of Agriculture may assess and  
21 collect application fees for the registration of  
22 Illinois-eligible stallions. All fees collected are to be  
23 paid into the Illinois Thoroughbred Breeders Fund.

24 (2) Provide for the registration of Illinois conceived  
25 and foaled horses and Illinois foaled horses. No such horse  
26 shall compete in the races limited to Illinois conceived

1 and foaled horses or Illinois foaled horses or both unless  
2 registered with the Department of Agriculture. The  
3 Department of Agriculture may prescribe such forms as are  
4 necessary to determine the eligibility of such horses. The  
5 Department of Agriculture may assess and collect  
6 application fees for the registration of Illinois-eligible  
7 foals. All fees collected are to be paid into the Illinois  
8 Thoroughbred Breeders Fund. No person shall knowingly  
9 prepare or cause preparation of an application for  
10 registration of such foals containing false information.

11 (m) The Department of Agriculture, with the advice and  
12 assistance of the Illinois Thoroughbred Breeders Fund Advisory  
13 Board, shall provide that certain races limited to Illinois  
14 conceived and foaled and Illinois foaled horses be stakes races  
15 and determine the total amount of stakes and awards to be paid  
16 to the owners of the winning horses in such races.

17 In determining the stakes races and the amount of awards  
18 for such races, the Department of Agriculture shall consider  
19 factors, including but not limited to, the amount of money  
20 appropriated for the Illinois Thoroughbred Breeders Fund  
21 program, organization licensees' contributions, availability  
22 of stakes caliber horses as demonstrated by past performances,  
23 whether the race can be coordinated into the proposed racing  
24 dates within organization licensees' racing dates, opportunity  
25 for colts and fillies and various age groups to race, public  
26 wagering on such races, and the previous racing schedule.

1           (n) The Board and the organizational licensee shall notify  
2 the Department of the conditions and minimum purses for races  
3 limited to Illinois conceived and foaled and Illinois foaled  
4 horses conducted for each organizational licensee conducting a  
5 thoroughbred racing meeting. The Department of Agriculture  
6 with the advice and assistance of the Illinois Thoroughbred  
7 Breeders Fund Advisory Board may allocate monies for purse  
8 supplements for such races. In determining whether to allocate  
9 money and the amount, the Department of Agriculture shall  
10 consider factors, including but not limited to, the amount of  
11 money appropriated for the Illinois Thoroughbred Breeders Fund  
12 program, the number of races that may occur, and the  
13 organizational licensee's purse structure.

14           (o) (Blank). ~~In order to improve the breeding quality of~~  
15 ~~thoroughbred horses in the State, the General Assembly~~  
16 ~~recognizes that existing provisions of this Section to~~  
17 ~~encourage such quality breeding need to be revised and~~  
18 ~~strengthened. As such, a Thoroughbred Breeder's Program Task~~  
19 ~~Force is to be appointed by the Governor by September 1, 1999~~  
20 ~~to make recommendations to the General Assembly by no later~~  
21 ~~than March 1, 2000. This task force is to be composed of 2~~  
22 ~~representatives from the Illinois Thoroughbred Breeders and~~  
23 ~~Owners Foundation, 2 from the Illinois Thoroughbred Horsemen's~~  
24 ~~Association, 3 from Illinois race tracks operating~~  
25 ~~thoroughbred race meets for an average of at least 30 days in~~  
26 ~~the past 3 years, the Director of Agriculture, the Executive~~

1 ~~Director of the Racing Board, who shall serve as Chairman.~~

2 (Source: P.A. 91-40, eff. 6-25-99.)

3 Section 85. The Liquor Control Act of 1934 is amended by  
4 changing Section 6-15 as follows:

5 (235 ILCS 5/6-15) (from Ch. 43, par. 130)

6 Sec. 6-15. No alcoholic liquors shall be sold or delivered  
7 in any building belonging to or under the control of the State  
8 or any political subdivision thereof except as provided in this  
9 Act. The corporate authorities of any city, village,  
10 incorporated town, township, or county may provide by  
11 ordinance, however, that alcoholic liquor may be sold or  
12 delivered in any specifically designated building belonging to  
13 or under the control of the municipality, township, or county,  
14 or in any building located on land under the control of the  
15 municipality, township, or county; provided that such township  
16 or county complies with all applicable local ordinances in any  
17 incorporated area of the township or county. Alcoholic liquor  
18 may be delivered to and sold under the authority of a special  
19 use permit on any property owned by a conservation district  
20 organized under the Conservation District Act, provided that  
21 (i) the alcoholic liquor is sold only at an event authorized by  
22 the governing board of the conservation district, (ii) the  
23 issuance of the special use permit is authorized by the local  
24 liquor control commissioner of the territory in which the

1 property is located, and (iii) the special use permit  
2 authorizes the sale of alcoholic liquor for one day or less.  
3 Alcoholic liquors may be delivered to and sold at any airport  
4 belonging to or under the control of a municipality of more  
5 than 25,000 inhabitants, or in any building or on any golf  
6 course owned by a park district organized under the Park  
7 District Code, subject to the approval of the governing board  
8 of the district, or in any building or on any golf course owned  
9 by a forest preserve district organized under the Downstate  
10 Forest Preserve District Act, subject to the approval of the  
11 governing board of the district, or on the grounds within 500  
12 feet of any building owned by a forest preserve district  
13 organized under the Downstate Forest Preserve District Act  
14 during times when food is dispensed for consumption within 500  
15 feet of the building from which the food is dispensed, subject  
16 to the approval of the governing board of the district, or in a  
17 building owned by a Local Mass Transit District organized under  
18 the Local Mass Transit District Act, subject to the approval of  
19 the governing Board of the District, or in Bicentennial Park,  
20 or on the premises of the City of Mendota Lake Park located  
21 adjacent to Route 51 in Mendota, Illinois, or on the premises  
22 of Camden Park in Milan, Illinois, or in the community center  
23 owned by the City of Loves Park that is located at 1000 River  
24 Park Drive in Loves Park, Illinois, or, in connection with the  
25 operation of an established food serving facility during times  
26 when food is dispensed for consumption on the premises, and at

1 the following aquarium and museums located in public parks: Art  
2 Institute of Chicago, Chicago Academy of Sciences, Chicago  
3 Historical Society, Field Museum of Natural History, Museum of  
4 Science and Industry, DuSable Museum of African American  
5 History, John G. Shedd Aquarium and Adler Planetarium, or at  
6 Lakeview Museum of Arts and Sciences in Peoria, or in  
7 connection with the operation of the facilities of the Chicago  
8 Zoological Society or the Chicago Horticultural Society on land  
9 owned by the Forest Preserve District of Cook County, or on any  
10 land used for a golf course or for recreational purposes owned  
11 by the Forest Preserve District of Cook County, subject to the  
12 control of the Forest Preserve District Board of Commissioners  
13 and applicable local law, provided that dram shop liability  
14 insurance is provided at maximum coverage limits so as to hold  
15 the District harmless from all financial loss, damage, and  
16 harm, or in any building located on land owned by the Chicago  
17 Park District if approved by the Park District Commissioners,  
18 or on any land used for a golf course or for recreational  
19 purposes and owned by the Illinois International Port District  
20 if approved by the District's governing board, or at any  
21 airport, golf course, faculty center, or facility in which  
22 conference and convention type activities take place belonging  
23 to or under control of any State university or public community  
24 college district, provided that with respect to a facility for  
25 conference and convention type activities alcoholic liquors  
26 shall be limited to the use of the convention or conference

1 participants or participants in cultural, political or  
2 educational activities held in such facilities, and provided  
3 further that the faculty or staff of the State university or a  
4 public community college district, or members of an  
5 organization of students, alumni, faculty or staff of the State  
6 university or a public community college district are active  
7 participants in the conference or convention, or in Memorial  
8 Stadium on the campus of the University of Illinois at  
9 Urbana-Champaign during games in which the Chicago Bears  
10 professional football team is playing in that stadium during  
11 the renovation of Soldier Field, not more than one and a half  
12 hours before the start of the game and not after the end of the  
13 third quarter of the game, or in the Pavilion Facility on the  
14 campus of the University of Illinois at Chicago during games in  
15 which the Chicago Storm professional soccer team is playing in  
16 that facility, not more than one and a half hours before the  
17 start of the game and not after the end of the third quarter of  
18 the game, or in the Pavilion Facility on the campus of the  
19 University of Illinois at Chicago during games in which the  
20 WNBA professional women's basketball team is playing in that  
21 facility, not more than one and a half hours before the start  
22 of the game and not after the 10-minute mark of the second half  
23 of the game, or by a catering establishment which has rented  
24 facilities from a board of trustees of a public community  
25 college district, or in a restaurant that is operated by a  
26 commercial tenant in the North Campus Parking Deck building

1 that (1) is located at 1201 West University Avenue, Urbana,  
2 Illinois and (2) is owned by the Board of Trustees of the  
3 University of Illinois, or, if approved by the District board,  
4 on land owned by the Metropolitan Sanitary District of Greater  
5 Chicago and leased to others for a term of at least 20 years.  
6 Nothing in this Section precludes the sale or delivery of  
7 alcoholic liquor in the form of original packaged goods in  
8 premises located at 500 S. Racine in Chicago belonging to the  
9 University of Illinois and used primarily as a grocery store by  
10 a commercial tenant during the term of a lease that predates  
11 the University's acquisition of the premises; but the  
12 University shall have no power or authority to renew, transfer,  
13 or extend the lease with terms allowing the sale of alcoholic  
14 liquor; and the sale of alcoholic liquor shall be subject to  
15 all local laws and regulations. After the acquisition by  
16 Winnebago County of the property located at 404 Elm Street in  
17 Rockford, a commercial tenant who sold alcoholic liquor at  
18 retail on a portion of the property under a valid license at  
19 the time of the acquisition may continue to do so for so long  
20 as the tenant and the County may agree under existing or future  
21 leases, subject to all local laws and regulations regarding the  
22 sale of alcoholic liquor. Alcoholic liquors may be delivered to  
23 and sold at Memorial Hall, located at 211 North Main Street,  
24 Rockford, under conditions approved by Winnebago County and  
25 subject to all local laws and regulations regarding the sale of  
26 alcoholic liquor. Each facility shall provide dram shop

1 liability in maximum insurance coverage limits so as to save  
2 harmless the State, municipality, State university, airport,  
3 golf course, faculty center, facility in which conference and  
4 convention type activities take place, park district, Forest  
5 Preserve District, public community college district,  
6 aquarium, museum, or sanitary district from all financial loss,  
7 damage or harm. Alcoholic liquors may be sold at retail in  
8 buildings of golf courses owned by municipalities or Illinois  
9 State University in connection with the operation of an  
10 established food serving facility during times when food is  
11 dispensed for consumption upon the premises. Alcoholic liquors  
12 may be delivered to and sold at retail in any building owned by  
13 a fire protection district organized under the Fire Protection  
14 District Act, provided that such delivery and sale is approved  
15 by the board of trustees of the district, and provided further  
16 that such delivery and sale is limited to fundraising events  
17 and to a maximum of 6 events per year. However, the limitation  
18 to fundraising events and to a maximum of 6 events per year  
19 does not apply to the delivery, sale, or manufacture of  
20 alcoholic liquors at the building located at 59 Main Street in  
21 Oswego, Illinois, owned by the Oswego Fire Protection District  
22 if the alcoholic liquor is sold or dispensed as approved by the  
23 Oswego Fire Protection District and the property is no longer  
24 being utilized for fire protection purposes.

25 Alcoholic liquors may be served or sold in buildings under  
26 the control of the Board of Trustees of the University of

1 Illinois for events that the Board may determine are public  
2 events and not related student activities. The Board of  
3 Trustees shall issue a written policy within 6 months of the  
4 effective date of this amendatory Act of the 95th General  
5 Assembly concerning the types of events that would be eligible  
6 for an exemption. Thereafter, the Board of Trustees may issue  
7 revised, updated, new, or amended policies as it deems  
8 necessary and appropriate. In preparing its written policy, the  
9 Board of Trustees shall, among other factors it considers  
10 relevant and important, give consideration to the following:  
11 (i) whether the event is a student activity or student related  
12 activity; (ii) whether the physical setting of the event is  
13 conducive to control of liquor sales and distribution; (iii)  
14 the ability of the event operator to ensure that the sale or  
15 serving of alcoholic liquors and the demeanor of the  
16 participants are in accordance with State law and University  
17 policies; (iv) regarding the anticipated attendees at the  
18 event, the relative proportion of individuals under the age of  
19 21 to individuals age 21 or older; (v) the ability of the venue  
20 operator to prevent the sale or distribution of alcoholic  
21 liquors to individuals under the age of 21; (vi) whether the  
22 event prohibits participants from removing alcoholic beverages  
23 from the venue; and (vii) whether the event prohibits  
24 participants from providing their own alcoholic liquors to the  
25 venue. In addition, any policy submitted by the Board of  
26 Trustees to the Illinois Liquor Control Commission must require

1 that any event at which alcoholic liquors are served or sold in  
2 buildings under the control of the Board of Trustees shall  
3 require the prior written approval of the Office of the  
4 Chancellor for the University campus where the event is  
5 located. The Board of Trustees shall submit its policy, and any  
6 subsequently revised, updated, new, or amended policies, to the  
7 Illinois Liquor Control Commission, and any University event,  
8 or location for an event, exempted under such policies shall  
9 apply for a license under the applicable Sections of this Act.

10 Alcoholic liquors may be served or sold in buildings under  
11 the control of the Board of Trustees of Northern Illinois  
12 University for events that the Board may determine are public  
13 events and not student-related activities. The Board of  
14 Trustees shall issue a written policy within 6 months after  
15 June 28, 2011 (the effective date of Public Act 97-45)  
16 concerning the types of events that would be eligible for an  
17 exemption. Thereafter, the Board of Trustees may issue revised,  
18 updated, new, or amended policies as it deems necessary and  
19 appropriate. In preparing its written policy, the Board of  
20 Trustees shall, in addition to other factors it considers  
21 relevant and important, give consideration to the following:  
22 (i) whether the event is a student activity or student-related  
23 activity; (ii) whether the physical setting of the event is  
24 conducive to control of liquor sales and distribution; (iii)  
25 the ability of the event operator to ensure that the sale or  
26 serving of alcoholic liquors and the demeanor of the

1 participants are in accordance with State law and University  
2 policies; (iv) the anticipated attendees at the event and the  
3 relative proportion of individuals under the age of 21 to  
4 individuals age 21 or older; (v) the ability of the venue  
5 operator to prevent the sale or distribution of alcoholic  
6 liquors to individuals under the age of 21; (vi) whether the  
7 event prohibits participants from removing alcoholic beverages  
8 from the venue; and (vii) whether the event prohibits  
9 participants from providing their own alcoholic liquors to the  
10 venue.

11 Alcoholic liquors may be served or sold in buildings under  
12 the control of the Board of Trustees of Chicago State  
13 University for events that the Board may determine are public  
14 events and not student-related activities. The Board of  
15 Trustees shall issue a written policy within 6 months after  
16 August 2, 2013 (the effective date of Public Act 98-132) ~~this~~  
17 ~~amendatory Act of the 98th General Assembly~~ concerning the  
18 types of events that would be eligible for an exemption.  
19 Thereafter, the Board of Trustees may issue revised, updated,  
20 new, or amended policies as it deems necessary and appropriate.  
21 In preparing its written policy, the Board of Trustees shall,  
22 in addition to other factors it considers relevant and  
23 important, give consideration to the following: (i) whether the  
24 event is a student activity or student-related activity; (ii)  
25 whether the physical setting of the event is conducive to  
26 control of liquor sales and distribution; (iii) the ability of

1 the event operator to ensure that the sale or serving of  
2 alcoholic liquors and the demeanor of the participants are in  
3 accordance with State law and University policies; (iv) the  
4 anticipated attendees at the event and the relative proportion  
5 of individuals under the age of 21 to individuals age 21 or  
6 older; (v) the ability of the venue operator to prevent the  
7 sale or distribution of alcoholic liquors to individuals under  
8 the age of 21; (vi) whether the event prohibits participants  
9 from removing alcoholic beverages from the venue; and (vii)  
10 whether the event prohibits participants from providing their  
11 own alcoholic liquors to the venue.

12 Alcoholic liquors may be served or sold in buildings under  
13 the control of the Board of Trustees of Illinois State  
14 University for events that the Board may determine are public  
15 events and not student-related activities. The Board of  
16 Trustees shall issue a written policy within 6 months after the  
17 effective date of this amendatory Act of the 97th General  
18 Assembly concerning the types of events that would be eligible  
19 for an exemption. Thereafter, the Board of Trustees may issue  
20 revised, updated, new, or amended policies as it deems  
21 necessary and appropriate. In preparing its written policy, the  
22 Board of Trustees shall, in addition to other factors it  
23 considers relevant and important, give consideration to the  
24 following: (i) whether the event is a student activity or  
25 student-related activity; (ii) whether the physical setting of  
26 the event is conducive to control of liquor sales and

1 distribution; (iii) the ability of the event operator to ensure  
2 that the sale or serving of alcoholic liquors and the demeanor  
3 of the participants are in accordance with State law and  
4 University policies; (iv) the anticipated attendees at the  
5 event and the relative proportion of individuals under the age  
6 of 21 to individuals age 21 or older; (v) the ability of the  
7 venue operator to prevent the sale or distribution of alcoholic  
8 liquors to individuals under the age of 21; (vi) whether the  
9 event prohibits participants from removing alcoholic beverages  
10 from the venue; and (vii) whether the event prohibits  
11 participants from providing their own alcoholic liquors to the  
12 venue.

13 Alcoholic liquor may be delivered to and sold at retail in  
14 the Dorchester Senior Business Center owned by the Village of  
15 Dolton if the alcoholic liquor is sold or dispensed only in  
16 connection with organized functions for which the planned  
17 attendance is 20 or more persons, and if the person or facility  
18 selling or dispensing the alcoholic liquor has provided dram  
19 shop liability insurance in maximum limits so as to hold  
20 harmless the Village of Dolton and the State from all financial  
21 loss, damage and harm.

22 Alcoholic liquors may be delivered to and sold at retail in  
23 any building used as an Illinois State Armory provided:

- 24 (i) the Adjutant General's written consent to the  
25 issuance of a license to sell alcoholic liquor in such  
26 building is filed with the Commission;

1           (ii) the alcoholic liquor is sold or dispensed only in  
2 connection with organized functions held on special  
3 occasions;

4           (iii) the organized function is one for which the  
5 planned attendance is 25 or more persons; and

6           (iv) the facility selling or dispensing the alcoholic  
7 liquors has provided dram shop liability insurance in  
8 maximum limits so as to save harmless the facility and the  
9 State from all financial loss, damage or harm.

10           Alcoholic liquors may be delivered to and sold at retail in  
11 the Chicago Civic Center, provided that:

12           (i) the written consent of the Public Building  
13 Commission which administers the Chicago Civic Center is  
14 filed with the Commission;

15           (ii) the alcoholic liquor is sold or dispensed only in  
16 connection with organized functions held on special  
17 occasions;

18           (iii) the organized function is one for which the  
19 planned attendance is 25 or more persons;

20           (iv) the facility selling or dispensing the alcoholic  
21 liquors has provided dram shop liability insurance in  
22 maximum limits so as to hold harmless the Civic Center, the  
23 City of Chicago and the State from all financial loss,  
24 damage or harm; and

25           (v) all applicable local ordinances are complied with.  
26           Alcoholic liquors may be delivered or sold in any building

1 belonging to or under the control of any city, village or  
2 incorporated town where more than 75% of the physical  
3 properties of the building is used for commercial or  
4 recreational purposes, and the building is located upon a pier  
5 extending into or over the waters of a navigable lake or stream  
6 or on the shore of a navigable lake or stream. In accordance  
7 with a license issued under this Act, alcoholic liquor may be  
8 sold, served, or delivered in buildings and facilities under  
9 the control of the Department of Natural Resources during  
10 events or activities lasting no more than 7 continuous days  
11 upon the written approval of the Director of Natural Resources  
12 acting as the controlling government authority. The Director of  
13 Natural Resources may specify conditions on that approval,  
14 including but not limited to requirements for insurance and  
15 hours of operation. Notwithstanding any other provision of this  
16 Act, alcoholic liquor sold by a United States Army Corps of  
17 Engineers or Department of Natural Resources concessionaire  
18 who was operating on June 1, 1991 for on-premises consumption  
19 only is not subject to the provisions of Articles IV and IX.  
20 Beer and wine may be sold on the premises of the Joliet Park  
21 District Stadium owned by the Joliet Park District when written  
22 consent to the issuance of a license to sell beer and wine in  
23 such premises is filed with the local liquor commissioner by  
24 the Joliet Park District. Beer and wine may be sold in  
25 buildings on the grounds of State veterans' homes when written  
26 consent to the issuance of a license to sell beer and wine in

1 such buildings is filed with the Commission by the Department  
2 of Veterans' Affairs, and the facility shall provide dram shop  
3 liability in maximum insurance coverage limits so as to save  
4 the facility harmless from all financial loss, damage or harm.  
5 Such liquors may be delivered to and sold at any property owned  
6 or held under lease by a Metropolitan Pier and Exposition  
7 Authority or Metropolitan Exposition and Auditorium Authority.

8 Beer and wine may be sold and dispensed at professional  
9 sporting events and at professional concerts and other  
10 entertainment events conducted on premises owned by the Forest  
11 Preserve District of Kane County, subject to the control of the  
12 District Commissioners and applicable local law, provided that  
13 dram shop liability insurance is provided at maximum coverage  
14 limits so as to hold the District harmless from all financial  
15 loss, damage and harm.

16 Nothing in this Section shall preclude the sale or delivery  
17 of beer and wine at a State or county fair or the sale or  
18 delivery of beer or wine at a city fair in any otherwise lawful  
19 manner.

20 Alcoholic liquors may be sold at retail in buildings in  
21 State parks under the control of the Department of Natural  
22 Resources, provided:

- 23 a. the State park has overnight lodging facilities with  
24 some restaurant facilities or, not having overnight  
25 lodging facilities, has restaurant facilities which serve  
26 complete luncheon and dinner or supper meals,

1           b. (blank), and ~~consent to the issuance of a license to~~  
2 ~~sell alcoholic liquors in the buildings has been filed with~~  
3 ~~the commission by the Department of Natural Resources, and~~

4           c. the alcoholic liquors are sold by the State park  
5 lodge or restaurant concessionaire only during the hours  
6 from 11 o'clock a.m. until 12 o'clock midnight.  
7 Notwithstanding any other provision of this Act, alcoholic  
8 liquor sold by the State park or restaurant concessionaire  
9 is not subject to the provisions of Articles IV and IX.

10          Alcoholic liquors may be sold at retail in buildings on  
11 properties under the control of the Historic Sites and  
12 Preservation Division of the Historic Preservation Agency or  
13 the Abraham Lincoln Presidential Library and Museum provided:

14           a. the property has overnight lodging facilities with  
15 some restaurant facilities or, not having overnight  
16 lodging facilities, has restaurant facilities which serve  
17 complete luncheon and dinner or supper meals,

18           b. consent to the issuance of a license to sell  
19 alcoholic liquors in the buildings has been filed with the  
20 commission by the Historic Sites and Preservation Division  
21 of the Historic Preservation Agency or the Abraham Lincoln  
22 Presidential Library and Museum, and

23           c. the alcoholic liquors are sold by the lodge or  
24 restaurant concessionaire only during the hours from 11  
25 o'clock a.m. until 12 o'clock midnight.

26          The sale of alcoholic liquors pursuant to this Section does

1 not authorize the establishment and operation of facilities  
2 commonly called taverns, saloons, bars, cocktail lounges, and  
3 the like except as a part of lodge and restaurant facilities in  
4 State parks or golf courses owned by Forest Preserve Districts  
5 with a population of less than 3,000,000 or municipalities or  
6 park districts.

7 Alcoholic liquors may be sold at retail in the Springfield  
8 Administration Building of the Department of Transportation  
9 and the Illinois State Armory in Springfield; provided, that  
10 the controlling government authority may consent to such sales  
11 only if

12 a. the request is from a not-for-profit organization;

13 b. such sales would not impede normal operations of the  
14 departments involved;

15 c. the not-for-profit organization provides dram shop  
16 liability in maximum insurance coverage limits and agrees  
17 to defend, save harmless and indemnify the State of  
18 Illinois from all financial loss, damage or harm;

19 d. no such sale shall be made during normal working  
20 hours of the State of Illinois; and

21 e. the consent is in writing.

22 Alcoholic liquors may be sold at retail in buildings in  
23 recreational areas of river conservancy districts under the  
24 control of, or leased from, the river conservancy districts.  
25 Such sales are subject to reasonable local regulations as  
26 provided in Article IV; however, no such regulations may

1 prohibit or substantially impair the sale of alcoholic liquors  
2 on Sundays or Holidays.

3 Alcoholic liquors may be provided in long term care  
4 facilities owned or operated by a county under Division 5-21 or  
5 5-22 of the Counties Code, when approved by the facility  
6 operator and not in conflict with the regulations of the  
7 Illinois Department of Public Health, to residents of the  
8 facility who have had their consumption of the alcoholic  
9 liquors provided approved in writing by a physician licensed to  
10 practice medicine in all its branches.

11 Alcoholic liquors may be delivered to and dispensed in  
12 State housing assigned to employees of the Department of  
13 Corrections. No person shall furnish or allow to be furnished  
14 any alcoholic liquors to any prisoner confined in any jail,  
15 reformatory, prison or house of correction except upon a  
16 physician's prescription for medicinal purposes.

17 Alcoholic liquors may be sold at retail or dispensed at the  
18 Willard Ice Building in Springfield, at the State Library in  
19 Springfield, and at Illinois State Museum facilities by (1) an  
20 agency of the State, whether legislative, judicial or  
21 executive, provided that such agency first obtains written  
22 permission to sell or dispense alcoholic liquors from the  
23 controlling government authority, or by (2) a not-for-profit  
24 organization, provided that such organization:

25 a. Obtains written consent from the controlling  
26 government authority;

1           b. Sells or dispenses the alcoholic liquors in a manner  
2 that does not impair normal operations of State offices  
3 located in the building;

4           c. Sells or dispenses alcoholic liquors only in  
5 connection with an official activity in the building;

6           d. Provides, or its catering service provides, dram  
7 shop liability insurance in maximum coverage limits and in  
8 which the carrier agrees to defend, save harmless and  
9 indemnify the State of Illinois from all financial loss,  
10 damage or harm arising out of the selling or dispensing of  
11 alcoholic liquors.

12           Nothing in this Act shall prevent a not-for-profit  
13 organization or agency of the State from employing the services  
14 of a catering establishment for the selling or dispensing of  
15 alcoholic liquors at authorized functions.

16           The controlling government authority for the Willard Ice  
17 Building in Springfield shall be the Director of the Department  
18 of Revenue. The controlling government authority for Illinois  
19 State Museum facilities shall be the Director of the Illinois  
20 State Museum. The controlling government authority for the  
21 State Library in Springfield shall be the Secretary of State.

22           Alcoholic liquors may be delivered to and sold at retail or  
23 dispensed at any facility, property or building under the  
24 jurisdiction of the Historic Sites and Preservation Division of  
25 the Historic Preservation Agency or the Abraham Lincoln  
26 Presidential Library and Museum where the delivery, sale or

1 dispensing is by (1) an agency of the State, whether  
2 legislative, judicial or executive, provided that such agency  
3 first obtains written permission to sell or dispense alcoholic  
4 liquors from a controlling government authority, or by (2) an  
5 individual or organization provided that such individual or  
6 organization:

7 a. Obtains written consent from the controlling  
8 government authority;

9 b. Sells or dispenses the alcoholic liquors in a manner  
10 that does not impair normal workings of State offices or  
11 operations located at the facility, property or building;

12 c. Sells or dispenses alcoholic liquors only in  
13 connection with an official activity of the individual or  
14 organization in the facility, property or building;

15 d. Provides, or its catering service provides, dram  
16 shop liability insurance in maximum coverage limits and in  
17 which the carrier agrees to defend, save harmless and  
18 indemnify the State of Illinois from all financial loss,  
19 damage or harm arising out of the selling or dispensing of  
20 alcoholic liquors.

21 The controlling government authority for the Historic  
22 Sites and Preservation Division of the Historic Preservation  
23 Agency shall be the Director of the Historic Sites and  
24 Preservation, and the controlling government authority for the  
25 Abraham Lincoln Presidential Library and Museum shall be the  
26 Director of the Abraham Lincoln Presidential Library and

1 Museum.

2 Alcoholic liquors may be delivered to and sold at retail or  
3 dispensed for consumption at the Michael Bilandic Building at  
4 160 North LaSalle Street, Chicago IL 60601, after the normal  
5 business hours of any day care or child care facility located  
6 in the building, by (1) a commercial tenant or subtenant  
7 conducting business on the premises under a lease made pursuant  
8 to Section 405-315 of the Department of Central Management  
9 Services Law (20 ILCS 405/405-315), provided that such tenant  
10 or subtenant who accepts delivery of, sells, or dispenses  
11 alcoholic liquors shall procure and maintain dram shop  
12 liability insurance in maximum coverage limits and in which the  
13 carrier agrees to defend, indemnify, and save harmless the  
14 State of Illinois from all financial loss, damage, or harm  
15 arising out of the delivery, sale, or dispensing of alcoholic  
16 liquors, or by (2) an agency of the State, whether legislative,  
17 judicial, or executive, provided that such agency first obtains  
18 written permission to accept delivery of and sell or dispense  
19 alcoholic liquors from the Director of Central Management  
20 Services, or by (3) a not-for-profit organization, provided  
21 that such organization:

22 a. obtains written consent from the Department of  
23 Central Management Services;

24 b. accepts delivery of and sells or dispenses the  
25 alcoholic liquors in a manner that does not impair normal  
26 operations of State offices located in the building;

1           c. accepts delivery of and sells or dispenses alcoholic  
2           liquors only in connection with an official activity in the  
3           building; and

4           d. provides, or its catering service provides, dram  
5           shop liability insurance in maximum coverage limits and in  
6           which the carrier agrees to defend, save harmless, and  
7           indemnify the State of Illinois from all financial loss,  
8           damage, or harm arising out of the selling or dispensing of  
9           alcoholic liquors.

10          Nothing in this Act shall prevent a not-for-profit  
11          organization or agency of the State from employing the services  
12          of a catering establishment for the selling or dispensing of  
13          alcoholic liquors at functions authorized by the Director of  
14          Central Management Services.

15          Alcoholic liquors may be sold at retail or dispensed at the  
16          James R. Thompson Center in Chicago, subject to the provisions  
17          of Section 7.4 of the State Property Control Act, and 222 South  
18          College Street in Springfield, Illinois by (1) a commercial  
19          tenant or subtenant conducting business on the premises under a  
20          lease or sublease made pursuant to Section 405-315 of the  
21          Department of Central Management Services Law (20 ILCS  
22          405/405-315), provided that such tenant or subtenant who sells  
23          or dispenses alcoholic liquors shall procure and maintain dram  
24          shop liability insurance in maximum coverage limits and in  
25          which the carrier agrees to defend, indemnify and save harmless  
26          the State of Illinois from all financial loss, damage or harm

1 arising out of the sale or dispensing of alcoholic liquors, or  
2 by (2) an agency of the State, whether legislative, judicial or  
3 executive, provided that such agency first obtains written  
4 permission to sell or dispense alcoholic liquors from the  
5 Director of Central Management Services, or by (3) a  
6 not-for-profit organization, provided that such organization:

7 a. Obtains written consent from the Department of  
8 Central Management Services;

9 b. Sells or dispenses the alcoholic liquors in a manner  
10 that does not impair normal operations of State offices  
11 located in the building;

12 c. Sells or dispenses alcoholic liquors only in  
13 connection with an official activity in the building;

14 d. Provides, or its catering service provides, dram  
15 shop liability insurance in maximum coverage limits and in  
16 which the carrier agrees to defend, save harmless and  
17 indemnify the State of Illinois from all financial loss,  
18 damage or harm arising out of the selling or dispensing of  
19 alcoholic liquors.

20 Nothing in this Act shall prevent a not-for-profit  
21 organization or agency of the State from employing the services  
22 of a catering establishment for the selling or dispensing of  
23 alcoholic liquors at functions authorized by the Director of  
24 Central Management Services.

25 Alcoholic liquors may be sold or delivered at any facility  
26 owned by the Illinois Sports Facilities Authority provided that

1 dram shop liability insurance has been made available in a  
2 form, with such coverage and in such amounts as the Authority  
3 reasonably determines is necessary.

4 Alcoholic liquors may be sold at retail or dispensed at the  
5 Rockford State Office Building by (1) an agency of the State,  
6 whether legislative, judicial or executive, provided that such  
7 agency first obtains written permission to sell or dispense  
8 alcoholic liquors from the Department of Central Management  
9 Services, or by (2) a not-for-profit organization, provided  
10 that such organization:

11 a. Obtains written consent from the Department of  
12 Central Management Services;

13 b. Sells or dispenses the alcoholic liquors in a manner  
14 that does not impair normal operations of State offices  
15 located in the building;

16 c. Sells or dispenses alcoholic liquors only in  
17 connection with an official activity in the building;

18 d. Provides, or its catering service provides, dram  
19 shop liability insurance in maximum coverage limits and in  
20 which the carrier agrees to defend, save harmless and  
21 indemnify the State of Illinois from all financial loss,  
22 damage or harm arising out of the selling or dispensing of  
23 alcoholic liquors.

24 Nothing in this Act shall prevent a not-for-profit  
25 organization or agency of the State from employing the services  
26 of a catering establishment for the selling or dispensing of

1 alcoholic liquors at functions authorized by the Department of  
2 Central Management Services.

3 Alcoholic liquors may be sold or delivered in a building  
4 that is owned by McLean County, situated on land owned by the  
5 county in the City of Bloomington, and used by the McLean  
6 County Historical Society if the sale or delivery is approved  
7 by an ordinance adopted by the county board, and the  
8 municipality in which the building is located may not prohibit  
9 that sale or delivery, notwithstanding any other provision of  
10 this Section. The regulation of the sale and delivery of  
11 alcoholic liquor in a building that is owned by McLean County,  
12 situated on land owned by the county, and used by the McLean  
13 County Historical Society as provided in this paragraph is an  
14 exclusive power and function of the State and is a denial and  
15 limitation under Article VII, Section 6, subsection (h) of the  
16 Illinois Constitution of the power of a home rule municipality  
17 to regulate that sale and delivery.

18 Alcoholic liquors may be sold or delivered in any building  
19 situated on land held in trust for any school district  
20 organized under Article 34 of the School Code, if the building  
21 is not used for school purposes and if the sale or delivery is  
22 approved by the board of education.

23 Alcoholic liquors may be sold or delivered in buildings  
24 owned by the Community Building Complex Committee of Boone  
25 County, Illinois if the person or facility selling or  
26 dispensing the alcoholic liquor has provided dram shop

1 liability insurance with coverage and in amounts that the  
2 Committee reasonably determines are necessary.

3 Alcoholic liquors may be sold or delivered in the building  
4 located at 1200 Centerville Avenue in Belleville, Illinois and  
5 occupied by either the Belleville Area Special Education  
6 District or the Belleville Area Special Services Cooperative.

7 Alcoholic liquors may be delivered to and sold at the Louis  
8 Joliet Renaissance Center, City Center Campus, located at 214  
9 N. Ottawa Street, Joliet, and the Food Services/Culinary Arts  
10 Department facilities, Main Campus, located at 1215 Houbolt  
11 Road, Joliet, owned by or under the control of Joliet Junior  
12 College, Illinois Community College District No. 525.

13 Alcoholic liquors may be delivered to and sold at Triton  
14 College, Illinois Community College District No. 504.

15 Alcoholic liquors may be delivered to and sold at the  
16 College of DuPage, Illinois Community College District No. 502.

17 Alcoholic liquors may be delivered to and sold at the  
18 building located at 446 East Hickory Avenue in Apple River,  
19 Illinois, owned by the Apple River Fire Protection District,  
20 and occupied by the Apple River Community Association if the  
21 alcoholic liquor is sold or dispensed only in connection with  
22 organized functions approved by the Apple River Community  
23 Association for which the planned attendance is 20 or more  
24 persons and if the person or facility selling or dispensing the  
25 alcoholic liquor has provided dram shop liability insurance in  
26 maximum limits so as to hold harmless the Apple River Fire

1 Protection District, the Village of Apple River, and the Apple  
2 River Community Association from all financial loss, damage,  
3 and harm.

4 Alcoholic liquors may be delivered to and sold at the Sikia  
5 Restaurant, Kennedy King College Campus, located at 740 West  
6 63rd Street, Chicago, and at the Food Services in the Great  
7 Hall/Washburne Culinary Institute Department facility, Kennedy  
8 King College Campus, located at 740 West 63rd Street, Chicago,  
9 owned by or under the control of City Colleges of Chicago,  
10 Illinois Community College District No. 508.

11 (Source: P.A. 97-33, eff. 6-28-11; 97-45, eff. 6-28-11; 97-51,  
12 eff. 6-28-11; 97-167, eff. 7-22-11; 97-250, eff. 8-4-11;  
13 97-395, eff. 8-16-11; 97-813, eff. 7-13-12; 97-1166, eff.  
14 3-1-13; 98-132, eff. 8-2-13; 98-201, eff. 8-9-13; revised  
15 9-24-13.)

16 (320 ILCS 65/20 rep.)

17 Section 90. The Family Caregiver Act is amended by  
18 repealing Section 20.

19 (410 ILCS 3/10 rep.)

20 Section 95. The Atherosclerosis Prevention Act is amended  
21 by repealing Section 10.

22 (410 ILCS 425/Act rep.)

23 Section 100. The High Blood Pressure Control Act is

1 repealed.

2 Section 105. The Environmental Protection Act is amended by  
3 changing Section 22.8 as follows:

4 (415 ILCS 5/22.8) (from Ch. 111 1/2, par. 1022.8)

5 Sec. 22.8. Environmental Protection Permit and Inspection  
6 Fund.

7 (a) There is hereby created in the State Treasury a special  
8 fund to be known as the Environmental Protection Permit and  
9 Inspection Fund. All fees collected by the Agency pursuant to  
10 this Section, Section 9.6, 12.2, 16.1, ~~22.2 (j) (6) (E) (v) (IV)~~,  
11 56.4, 56.5, 56.6, and subsection (f) of Section 5 of this Act,  
12 or pursuant to Section 22 of the Public Water Supply Operations  
13 Act or Section 1011 of the Solid Waste Site Operator  
14 Certification Law, as well as ~~and~~ funds collected under  
15 subsection (b.5) of Section 42 of this Act, shall be deposited  
16 into the Fund. In addition to any monies appropriated from the  
17 General Revenue Fund, monies in the Fund shall be appropriated  
18 by the General Assembly to the Agency in amounts deemed  
19 necessary for manifest, permit, and inspection activities and  
20 for performing its functions, powers, and duties under the  
21 Solid Waste Site Operator Certification Law ~~processing~~  
22 ~~requests under Section 22.2 (j) (6) (E) (v) (IV)~~.

23 The General Assembly may appropriate monies in the Fund  
24 deemed necessary for Board regulatory and adjudicatory

1 proceedings.

2 (a-5) As soon as practicable after the effective date of  
3 this amendatory Act of the 98th General Assembly, but no later  
4 than January 1, 2014, the State Comptroller shall direct and  
5 the State Treasurer shall transfer all monies in the Industrial  
6 Hygiene Regulatory and Enforcement Fund to the Environmental  
7 Protection Permit and Inspection Fund to be used in accordance  
8 with the terms of the Environmental Protection Permit and  
9 Inspection Fund.

10 (a-6) As soon as practicable after the effective date of  
11 this amendatory Act of the 98th General Assembly, but no later  
12 than December 31, 2014, the State Comptroller shall order the  
13 transfer of, and the State Treasurer shall transfer, all moneys  
14 in the Hazardous Waste Occupational Licensing Fund into the  
15 Environmental Protection Permit and Inspection Fund to be used  
16 in accordance with the terms of the Environmental Protection  
17 Permit and Inspection Fund.

18 (b) The Agency shall collect from the owner or operator of  
19 any of the following types of hazardous waste disposal sites or  
20 management facilities which require a RCRA permit under  
21 subsection (f) of Section 21 of this Act, or a UIC permit under  
22 subsection (g) of Section 12 of this Act, an annual fee in the  
23 amount of:

24 (1) \$35,000 (\$70,000 beginning in 2004) for a hazardous  
25 waste disposal site receiving hazardous waste if the  
26 hazardous waste disposal site is located off the site where

1 such waste was produced;

2 (2) \$9,000 (\$18,000 beginning in 2004) for a hazardous  
3 waste disposal site receiving hazardous waste if the  
4 hazardous waste disposal site is located on the site where  
5 such waste was produced;

6 (3) \$7,000 (\$14,000 beginning in 2004) for a hazardous  
7 waste disposal site receiving hazardous waste if the  
8 hazardous waste disposal site is an underground injection  
9 well;

10 (4) \$2,000 (\$4,000 beginning in 2004) for a hazardous  
11 waste management facility treating hazardous waste by  
12 incineration;

13 (5) \$1,000 (\$2,000 beginning in 2004) for a hazardous  
14 waste management facility treating hazardous waste by a  
15 method, technique or process other than incineration;

16 (6) \$1,000 (\$2,000 beginning in 2004) for a hazardous  
17 waste management facility storing hazardous waste in a  
18 surface impoundment or pile;

19 (7) \$250 (\$500 beginning in 2004) for a hazardous waste  
20 management facility storing hazardous waste other than in a  
21 surface impoundment or pile; and

22 (8) Beginning in 2004, \$500 for a large quantity  
23 hazardous waste generator required to submit an annual or  
24 biennial report for hazardous waste generation.

25 (c) Where two or more operational units are located within  
26 a single hazardous waste disposal site, the Agency shall

1 collect from the owner or operator of such site an annual fee  
2 equal to the highest fee imposed by subsection (b) of this  
3 Section upon any single operational unit within the site.

4 (d) The fee imposed upon a hazardous waste disposal site  
5 under this Section shall be the exclusive permit and inspection  
6 fee applicable to hazardous waste disposal at such site,  
7 provided that nothing in this Section shall be construed to  
8 diminish or otherwise affect any fee imposed upon the owner or  
9 operator of a hazardous waste disposal site by Section 22.2.

10 (e) The Agency shall establish procedures, no later than  
11 December 1, 1984, relating to the collection of the hazardous  
12 waste disposal site fees authorized by this Section. Such  
13 procedures shall include, but not be limited to the time and  
14 manner of payment of fees to the Agency, which shall be  
15 quarterly, payable at the beginning of each quarter for  
16 hazardous waste disposal site fees. Annual fees required under  
17 paragraph (7) of subsection (b) of this Section shall accompany  
18 the annual report required by Board regulations for the  
19 calendar year for which the report applies.

20 (f) For purposes of this Section, a hazardous waste  
21 disposal site consists of one or more of the following  
22 operational units:

23 (1) a landfill receiving hazardous waste for disposal;

24 (2) a waste pile or surface impoundment, receiving  
25 hazardous waste, in which residues which exhibit any of the  
26 characteristics of hazardous waste pursuant to Board

1 regulations are reasonably expected to remain after  
2 closure;

3 (3) a land treatment facility receiving hazardous  
4 waste; or

5 (4) a well injecting hazardous waste.

6 (g) The Agency shall assess a fee for each manifest  
7 provided by the Agency. For manifests provided on or after  
8 January 1, 1989 but before July 1, 2003, the fee shall be \$1  
9 per manifest. For manifests provided on or after July 1, 2003,  
10 the fee shall be \$3 per manifest.

11 (Source: P.A. 98-78, eff. 7-15-13.)

12 Section 110. The Illinois Pesticide Act is amended by  
13 changing Sections 19.3 and 22.2 as follows:

14 (415 ILCS 60/19.3)

15 Sec. 19.3. Agrichemical Facility Response Action Program.

16 (a) It is the policy of the State of Illinois that an  
17 Agrichemical Facility Response Action Program be implemented  
18 to reduce potential agrichemical pollution and minimize  
19 environmental degradation risk potential at these sites. In  
20 this Section, "agrichemical facility" means a site where  
21 agrichemicals are stored or handled, or both, in preparation  
22 for end use. "Agrichemical facility" does not include basic  
23 manufacturing or central distribution sites utilized only for  
24 wholesale purposes. As used in this Section, "agrichemical"

1 means pesticides or commercial fertilizers at an agrichemical  
2 facility.

3 The program shall provide guidance for assessing the threat  
4 of soil agrichemical contaminants to groundwater and  
5 recommending which sites need to establish a voluntary  
6 corrective action program.

7 The program shall establish appropriate site-specific soil  
8 cleanup objectives, which shall be based on the potential for  
9 the agrichemical contaminants to move from the soil to  
10 groundwater and the potential of the specific soil agrichemical  
11 contaminants to cause an exceedence of a Class I or Class III  
12 groundwater quality standard or a health advisory level. The  
13 Department shall use the information found and procedures  
14 developed in the Agrichemical Facility Site Contamination  
15 Study or other appropriate physical evidence to establish the  
16 soil agrichemical contaminant levels of concern to groundwater  
17 in the various hydrological settings to establish  
18 site-specific cleanup objectives.

19 No remediation of a site may be recommended unless (i) the  
20 agrichemical contamination level in the soil exceeds the  
21 site-specific cleanup objectives or (ii) the agrichemical  
22 contaminant level in the soil exceeds levels where physical  
23 evidence and risk evaluation indicates probability of the site  
24 causing an exceedence of a groundwater quality standard.

25 When a remediation plan must be carried out over a number  
26 of years due to limited financial resources of the owner or

1 operator of the agrichemical facility, those soil agrichemical  
2 contaminated areas that have the greatest potential to  
3 adversely impact vulnerable Class I groundwater aquifers and  
4 adjacent potable water wells shall receive the highest priority  
5 rating and be remediated first.

6 (b) (Blank). ~~The Agrichemical Facility Response Action~~  
7 ~~Program Board ("the Board") is created. The Board members shall~~  
8 ~~consist of the following:~~

9 ~~(1) The Director or the Director's designee.~~

10 ~~(2) One member who represents pesticide manufacturers.~~

11 ~~(3) Two members who represent retail agrichemical~~  
12 ~~dealers.~~

13 ~~(4) One member who represents agrichemical~~  
14 ~~distributors.~~

15 ~~(5) One member who represents active farmers.~~

16 ~~(6) One member at large.~~

17 ~~The public members of the Board shall be appointed by the~~  
18 ~~Governor for terms of 2 years. Those persons on the Board who~~  
19 ~~represent pesticide manufacturers, agrichemical dealers,~~  
20 ~~agrichemical distributors, and farmers shall be selected from~~  
21 ~~recommendations made by the associations whose membership~~  
22 ~~reflects those specific areas of interest. The members of the~~  
23 ~~Board shall be appointed within 90 days after the effective~~  
24 ~~date of this amendatory Act of 1995. Vacancies on the Board~~  
25 ~~shall be filled within 30 days. The Board may fill any~~  
26 ~~membership position vacant for a period exceeding 30 days.~~

1       ~~The members of the Board shall be paid no compensation, but~~  
2 ~~shall be reimbursed for their expenses incurred in performing~~  
3 ~~their duties. If a civil proceeding is commenced against a~~  
4 ~~Board member arising out of an act or omission occurring within~~  
5 ~~the scope of the Board member's performance of his or her~~  
6 ~~duties under this Section, the State, as provided by rule,~~  
7 ~~shall indemnify the Board member for any damages awarded and~~  
8 ~~court costs and attorney's fees assessed as part of a final and~~  
9 ~~unreversed judgement, or shall pay the judgment, unless the~~  
10 ~~court or jury finds that the conduct or inaction that gave rise~~  
11 ~~to the claim or cause of action was intentional, wilful or~~  
12 ~~wanton misconduct and was not intended to serve or benefit~~  
13 ~~interests of the State.~~

14       ~~The chairperson of the Board shall be selected by the Board~~  
15 ~~from among the public members.~~

16       (c) (Blank). ~~The Board has the authority to do the~~  
17 ~~following:~~

18           ~~(1) Cooperate with the Department and review and~~  
19 ~~approve an agrichemical facility remediation program as~~  
20 ~~outlined in the handbook or manual as set forth in~~  
21 ~~subdivision (d)(8) of this Section.~~

22           ~~(2) Review and give final approval to each agrichemical~~  
23 ~~facility corrective action plan.~~

24           ~~(3) Approve any changes to an agrichemical facility's~~  
25 ~~corrective action plan that may be necessary.~~

26           ~~(4) Upon completion of the corrective action plan,~~

1 ~~recommend to the Department that the site specific cleanup~~  
2 ~~objectives have been met and that a notice of closure be~~  
3 ~~issued by the Department stating that no further remedial~~  
4 ~~action is required to remedy the past agrichemical~~  
5 ~~contamination.~~

6 ~~(5) When a soil agrichemical contaminant assessment~~  
7 ~~confirms that remedial action is not required in accordance~~  
8 ~~with the Agrichemical Facility Response Action Program,~~  
9 ~~recommend that a notice of closure be issued by the~~  
10 ~~Department stating that no further remedial action is~~  
11 ~~required to remedy the past agrichemical contamination.~~

12 ~~(6) Periodically review the Department's~~  
13 ~~administration of the Agrichemical Incident Response Trust~~  
14 ~~Fund and actions taken with respect to the Fund. The Board~~  
15 ~~shall also provide advice to the Interagency Committee on~~  
16 ~~Pesticides regarding the proper handling of agrichemical~~  
17 ~~incidents at agrichemical facilities in Illinois.~~

18 (d) The Director has the authority to do the following:

19 (1) When requested by the owner or operator of an  
20 agrichemical facility, may investigate the agrichemical  
21 facility site contamination.

22 (2) After completion of the investigation under item  
23 ~~subdivision (d)~~ (1) of this subsection ~~Section~~, recommend  
24 to the owner or operator of an agrichemical facility that a  
25 voluntary assessment be made of the soil agrichemical  
26 contaminant when there is evidence that the evaluation of

1 risk indicates that groundwater could be adversely  
2 impacted.

3 (3) Review and make recommendations on any corrective  
4 action plan submitted by the owner or operator of an  
5 agrichemical facility ~~to the Board for final approval.~~

6 (4) On approval by the Director Board, issue an order  
7 to the owner or operator of an agrichemical facility that  
8 has filed a voluntary corrective action plan that the owner  
9 or operator may proceed with that plan.

10 (5) Provide remedial project oversight and ~~7~~ monitor  
11 remedial work progress, ~~and report to the Board on the~~  
12 ~~status of remediation projects.~~

13 (6) Provide staff to support program ~~the~~ activities ~~of~~  
14 ~~the Board.~~

15 (7) (Blank). ~~Take appropriate action on the Board's~~  
16 ~~recommendations regarding policy needed to carry out the~~  
17 ~~Board's responsibilities under this Section.~~

18 (8) Incorporate ~~In cooperation with the Board,~~  
19 ~~incorporate~~ the following into a handbook or manual: the  
20 procedures for site assessment; pesticide constituents of  
21 concern and associated parameters; guidance on remediation  
22 techniques, land application, and corrective action plans;  
23 and other information or instructions that the Department  
24 may find necessary.

25 (9) Coordinate preventive response actions at  
26 agrichemical facilities pursuant to the Groundwater

1           Quality Standards adopted pursuant to Section 8 of the  
2           Illinois Groundwater Protection Act to mitigate resource  
3           groundwater impairment.

4           Upon completion of the corrective action plan ~~and upon~~  
5 ~~recommendation of the Board,~~ the Department shall issue a  
6 notice of closure stating that site-specific cleanup  
7 objectives have been met and no further remedial action is  
8 required to remedy the past agrichemical contamination.

9           When a soil agrichemical contaminant assessment confirms  
10 that remedial action is not required in accordance with the  
11 Agrichemical Facility Response Action Program ~~and upon the~~  
12 ~~recommendation of the Board,~~ a notice of closure shall be  
13 issued by the Department stating that no further remedial  
14 action is required to remedy the past agrichemical  
15 contamination.

16           (e) Upon receipt of notification of an agrichemical  
17 contaminant in groundwater pursuant to the Groundwater Quality  
18 Standards, the Department shall evaluate the severity of the  
19 agrichemical contamination and shall submit to the  
20 Environmental Protection Agency an informational notice  
21 characterizing it as follows:

22           (1) An agrichemical contaminant in Class I or Class III  
23 groundwater has exceeded the levels of a standard adopted  
24 pursuant to the Illinois Groundwater Protection Act or a  
25 health advisory established by the Illinois Environmental  
26 Protection Agency or the United States Environmental

1 Protection Agency; or

2 (2) An agrichemical has been detected at a level that  
3 requires preventive notification pursuant to a standard  
4 adopted pursuant to the Illinois Groundwater Protection  
5 Act.

6 (f) When agrichemical contamination is characterized as in  
7 subsection ~~subdivision~~ (e)(1) of this Section, a facility may  
8 elect to participate in the Agrichemical Facility Response  
9 Action Program. In these instances, the scope of the corrective  
10 action plans developed, approved, and completed under this  
11 program shall be limited to the soil agrichemical contamination  
12 present at the site unless implementation of the plan is  
13 coordinated with the Illinois Environmental Protection Agency  
14 as follows:

15 (1) Upon receipt of notice of intent to include  
16 groundwater in an action by a facility, the Department  
17 shall also notify the Illinois Environmental Protection  
18 Agency.

19 (2) Upon receipt of the corrective action plan, the  
20 Department shall coordinate a joint review of the plan with  
21 the Illinois Environmental Protection Agency.

22 (3) The Illinois Environmental Protection Agency may  
23 provide a written endorsement of the corrective action  
24 plan.

25 (4) The Illinois Environmental Protection Agency may  
26 approve a groundwater management zone for a period of 5

1 years after the implementation of the corrective action  
2 plan to allow for groundwater impairment mitigation  
3 results.

4 (5) (Blank). ~~The Department, in cooperation with the~~  
5 ~~Illinois Environmental Protection Agency, shall recommend~~  
6 ~~a proposed corrective action plan to the Board for final~~  
7 ~~approval to proceed with remediation. The recommendation~~  
8 ~~shall be based on the joint review conducted under~~  
9 ~~subdivision (f) (2) of this Section and the status of any~~  
10 ~~endorsement issued under subdivision (f) (3) of this~~  
11 ~~Section.~~

12 (6) The Department, in cooperation with the Illinois  
13 Environmental Protection Agency, shall provide remedial  
14 project oversight, monitor remedial work progress, ~~and~~  
15 ~~report to the Board on the status of the remediation~~  
16 ~~project.~~

17 (7) The Department shall, upon completion of the  
18 corrective action plan ~~and recommendation of the Board,~~  
19 issue a notice of closure stating that no further remedial  
20 action is required to remedy the past agrichemical  
21 contamination.

22 (g) When an owner or operator of an agrichemical facility  
23 initiates a soil contamination assessment on the owner's or  
24 operator's own volition and independent of any requirement  
25 under this Section 19.3, information contained in that  
26 assessment may be held as confidential information by the owner

1 or operator of the facility.

2 (h) Except as otherwise provided by Department rule, on and  
3 after the effective date of this amendatory Act of the 98th  
4 General Assembly, any Agrichemical Facility Response Action  
5 Program requirement that may be satisfied by an industrial  
6 hygienist licensed pursuant to the Industrial Hygienists  
7 Licensure Act repealed in this amendatory Act may be satisfied  
8 by a Certified Industrial Hygienist certified by the American  
9 Board of Industrial Hygiene.

10 (Source: P.A. 98-78, eff. 7-15-13.)

11 (415 ILCS 60/22.2) (from Ch. 5, par. 822.2)

12 Sec. 22.2. (a) There is hereby created a trust fund in the  
13 State Treasury to be known as the Agrichemical Incident  
14 Response Trust Fund. Any funds received by the Director of  
15 Agriculture from the mandates of Section 13.1 shall be  
16 deposited with the Treasurer as ex-officio custodian and held  
17 separate and apart from any public money of this State, with  
18 accruing interest on the trust funds deposited into the trust  
19 fund. Disbursement from the fund for purposes as set forth in  
20 this Section shall be by voucher ordered by the Director and  
21 paid by a warrant drawn by the State Comptroller and  
22 countersigned by the State Treasurer. The Director shall order  
23 disbursements from the Agrichemical Incident Response Trust  
24 Fund only for payment of the expenses authorized by this Act.  
25 Monies in this trust fund shall not be subject to appropriation

1 by the General Assembly but shall be subject to audit by the  
2 Auditor General. Should the program be terminated, all  
3 unobligated funds in the trust fund shall be transferred to a  
4 trust fund to be used for purposes as originally intended or be  
5 transferred to the Pesticide Control Fund. Interest earned on  
6 the Fund shall be deposited in the Fund. Monies in the Fund may  
7 be used by the Department of Agriculture for the following  
8 purposes:

9 (1) for payment of costs of response action incurred by  
10 owners or operators of agrichemical facilities as provided  
11 in Section 22.3 of this Act;

12 (2) for the Department to take emergency action in  
13 response to a release of agricultural pesticides from an  
14 agrichemical facility that has created an imminent threat  
15 to public health or the environment;

16 (3) for the costs of administering its activities  
17 relative to the Fund as delineated in subsections (b) and  
18 (c) of this Section; and

19 (4) for the Department to:

20 (A) (blank); and ~~reimburse members of the~~  
21 ~~Agrichemical Facility Response Action Program Board~~  
22 ~~for their expenses incurred in performing their duties~~  
23 ~~as defined under Section 19.3 of this Act; and~~

24 (B) administer ~~provide staff to support the~~  
25 ~~activities of the Agrichemical Facility Response~~  
26 ~~Action Program Board.~~

1           The total annual expenditures from the Fund for these  
2           purposes under this paragraph (4) shall not be more than  
3           \$120,000, and no expenditure from the Fund for these  
4           purposes shall be made when the Fund balance becomes less  
5           than \$750,000.

6           (b) The action undertaken shall be such as may be necessary  
7           or appropriate to protect human health or the environment.

8           (c) The Director of Agriculture is authorized to enter into  
9           contracts and agreements as may be necessary to carry out the  
10          Department's duties under this Section.

11          (d) Neither the State, the Director, nor any State employee  
12          shall be liable for any damages or injury arising out of or  
13          resulting from any action taken under this Section.

14          (e) (Blank). ~~On a quarterly basis, the Department shall~~  
15          ~~advise and consult with the Agrichemical Facility Response~~  
16          ~~Action Program Board as to the Department's administration of~~  
17          ~~the Fund.~~

18          (Source: P.A. 89-94, eff. 7-6-95.)

19          Section 115. The Hazardous Material Emergency Response  
20          Reimbursement Act is amended by changing Sections 3, 4, and 5  
21          as follows:

22                 (430 ILCS 55/3) (from Ch. 127 1/2, par. 1003)

23                 Sec. 3. Definitions. As used in this Act:

24                 (a) "Emergency action" means any action taken at or near

1 the scene of a hazardous materials emergency incident to  
2 prevent or minimize harm to human health, to property, or to  
3 the environments from the unintentional release of a hazardous  
4 material.

5 (b) "Emergency response agency" means a unit of local  
6 government, volunteer fire protection organization, or the  
7 American Red Cross that provides:

8 (1) firefighting services;

9 (2) emergency rescue services;

10 (3) emergency medical services;

11 (4) hazardous materials response teams;

12 (5) civil defense;

13 (6) technical rescue teams; or

14 (7) mass care or assistance to displaced persons.

15 (c) "Responsible party" means a person who:

16 (1) owns or has custody of hazardous material that is  
17 involved in an incident requiring emergency action by an  
18 emergency response agency; or

19 (2) owns or has custody of bulk or non-bulk packaging  
20 or a transport vehicle that contains hazardous material  
21 that is involved in an incident requiring emergency action  
22 by an emergency response agency; and

23 (3) who causes or substantially contributed to the  
24 cause of the incident.

25 (d) "Person" means an individual, a corporation, a  
26 partnership, an unincorporated association, or any unit of

1 federal, State or local government.

2 (e) "Annual budget" means the cost to operate an emergency  
3 response agency excluding personnel costs, which include  
4 salary, benefits and training expenses; and costs to acquire  
5 capital equipment including buildings, vehicles and other such  
6 major capital cost items.

7 (f) "Hazardous material" means a substance or material in a  
8 quantity and form determined by the United States Department of  
9 Transportation to be capable of posing an unreasonable risk to  
10 health and safety or property when transported in commerce.

11 (g) "Fund" means the Fire Prevention Fund ~~"Panel" means~~  
12 ~~administrative panel.~~

13 (Source: P.A. 93-159, eff. 1-1-04; 94-96, eff. 1-1-06.)

14 (430 ILCS 55/4) (from Ch. 127 1/2, par. 1004)

15 Sec. 4. Establishment. The Emergency Response  
16 Reimbursement Fund in the State Treasury, hereinafter called  
17 the Fund, is hereby created. Appropriations shall be made from  
18 the general revenue fund to the Fund. Monies in the Fund shall  
19 be used as provided in this Act.

20 The Emergency Response Reimbursement Fund is dissolved as  
21 of the effective date of this amendatory Act of the 98th  
22 General Assembly. Any moneys remaining in the fund shall be  
23 transferred to the Fire Prevention Fund.

24 (Source: P.A. 86-972.)

1 (430 ILCS 55/5) (from Ch. 127 1/2, par. 1005)

2 Sec. 5. Reimbursement to agencies.

3 (a) It shall be the duty of the responsible party to  
4 reimburse, within 60 days after the receipt of a bill for the  
5 hazardous material emergency incident, the emergency response  
6 agencies responding to a hazardous material emergency  
7 incident, and any private contractor responding to the incident  
8 at the request of an emergency response agency, for the costs  
9 incurred in the course of providing emergency action.

10 (b) In the event that the emergency response agencies are  
11 not reimbursed by a responsible party as required under  
12 subsection (a), monies in the Fund, subject to appropriation,  
13 shall be used to reimburse the emergency response agencies  
14 providing emergency action at or near the scene of a hazardous  
15 materials emergency incident subject to the following  
16 limitations:

17 (1) Cost recovery from the Fund is limited to  
18 replacement of expended materials including, but not  
19 limited to, specialized firefighting foam, damaged hose or  
20 other reasonable and necessary supplies.

21 (2) The applicable cost of supplies must exceed 2% of  
22 the emergency response agency's annual budget.

23 (3) A minimum of \$500 must have been expended.

24 (4) A maximum of \$10,000 may be requested per incident.

25 (5) The response was made to an incident involving  
26 hazardous materials facilities such as rolling stock which

1 are not in a terminal and which are not included on the  
2 property tax roles for the jurisdiction where the incident  
3 occurred.

4 (c) Application for reimbursement from the Fund shall be  
5 made to the State Fire Marshal or his designee. The State Fire  
6 Marshal shall, through rulemaking, promulgate a standard form  
7 for such application. The State Fire Marshal shall adopt rules  
8 for the administration of this Act.

9 (d) Claims against the Fund shall be reviewed by the  
10 Illinois Fire Advisory Commission at its normally scheduled  
11 meetings, as the claims are received. The Commission shall be  
12 responsible for:

13 (1) reviewing claims made against the Fund and  
14 determining reasonable and necessary expenses to be  
15 reimbursed for an emergency response agency:

16 (2) affirming that the emergency response agency has  
17 made a reasonable effort to recover expended costs from  
18 involved parties; and

19 (3) advising the State Fire Marshal as to those claims  
20 against the Fund which merit reimbursement.

21 (e) The State Fire Marshal shall either accept or reject  
22 the Commission's recommendations as to a claim's eligibility.  
23 The eligibility decision of the State Fire Marshal shall be a  
24 final administrative decision, and may be reviewed as provided  
25 under the Administrative Review Law.

26 (Source: P.A. 93-989, eff. 1-1-05.)

1 (430 ILCS 55/7 rep.)

2 Section 120. The Hazardous Material Emergency Response  
3 Reimbursement Act is amended by repealing Section 7.

4 (510 ILCS 15/1 rep.)

5 Section 125. The Animal Gastroenteritis Act is amended by  
6 repealing Section 1.

7 Section 135. The Illinois Pseudorabies Control Act is  
8 amended by changing Section 5.1 as follows:

9 (510 ILCS 90/5.1) (from Ch. 8, par. 805.1)

10 Sec. 5.1. Pseudorabies Advisory Committee. Upon the  
11 detection of pseudorabies within the State, the ~~The~~ Director of  
12 Agriculture is authorized to establish within the Department an  
13 advisory committee to be known as the Pseudorabies Advisory  
14 Committee. The Committee ~~Such committee~~ shall consist of, but  
15 not be limited to, representatives of swine producers, general  
16 swine organizations within the State, licensed veterinarians,  
17 general farm organizations, auction markets, the packing  
18 industry and the University of Illinois. Members of the  
19 Committee shall only be appointed and meet during the timeframe  
20 of the detection. ~~The Director shall, from time to time,~~  
21 ~~consult with the Pseudorabies Advisory Committee on changes in~~  
22 ~~the pseudorabies control program.~~

1           The Director shall appoint a Technical Committee from the  
2 membership of the Pseudorabies Advisory Committee, which shall  
3 be comprised of a veterinarian, a swine extension specialist,  
4 and a pork producer. This committee shall serve as resource  
5 persons for the technical aspects of the herd plans and may  
6 advise the Department on procedures to be followed, timetables  
7 for accomplishing the elimination of infection, assist in  
8 obtaining cooperation from swine herd owners, and recommend  
9 adjustments in the approved herd plan as necessary.

10           These Committee members shall be entitled to reimbursement  
11 of all necessary and actual expenses incurred in the  
12 performance of their duties.

13           (Source: P.A. 89-154, eff. 7-19-95.)

14           (525 ILCS 25/10 rep.)

15           Section 140. The Illinois Lake Management Program Act is  
16 amended by repealing Section 10.

17           (815 ILCS 325/6 rep.)

18           Section 145. The Recyclable Metal Purchase Registration  
19 Law is amended by repealing Section 6.

20           Section 995. Illinois Compiled Statutes reassignment.

21           The Legislative Reference Bureau shall reassign the  
22 following Act to the specified location in the Illinois  
23 Compiled Statutes and file appropriate documents with the Index

1 Division of the Office of the Secretary of State in accordance  
2 with subsection (c) of Section 5.04 of the Legislative  
3 Reference Bureau Act:

4 Illinois Commission on Volunteerism and Community  
5 Service Act, reassigned from 20 ILCS 710/ to 20 ILCS 2330/.

6 Section 999. Effective date. This Act takes effect upon  
7 becoming law, except that Section 35 takes effect on January 1,  
8 2015."